



Members

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

MINUTES
June 28, 2022

The following are the minutes of a public hearing held Tuesday, June 28, 2022 at 5:30 PM in the Chambers, 4th floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013 and via Zoom.

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

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

The meeting was called to order at 5:30 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

Application for a Special Permit under Chapter 275-53 for the purpose of parking lot for the use of businesses and residents of 333 Front Street located at 28 Grape Street.

Applicant – Alex Vilkhovey, 417 Springfield Street, #130, Agawam, MA 01001

Alex Vilkhovey was present at the meeting. He stated that he is purchasing the property and needs this special permit for parking for the property at 333 Front Street. There is a current Special Permit for this parking lot but it doesn't run with the land so each new owner would have to reapply for a Special Permit. He requested that the Special Permit run with the land.

Reports read from the following:

Planning Department – Property is zoned Residential B, applicant is requesting a Special Permit for the transfer of an existing Special Permit for property located at 28 Grape Street, an existing paved parking lot for the use of businesses and residents of 333 Front Street, property requires a Special Permit under chapter 275-

53 (B) (11) for parking facilities. Planning recommends the request be approved for transfer of an existing Special Permit under the original conditions and regulations.

Health Department – No concerns at this time

Engineering Department – Space available shown cannot accommodate 8 parking spaces standard parking space is 9' wide (8' wide minimum)

Fire Department – No issues

Alex Vilkhovey stated that there are 10 units in the Building. Mixed use property ½ business, ½ residential all one bedroom.

Motion made by Councilor Pniak-Costello and second by Councilor Balakier to approve with existing conditions and the permit is to run with the land.

Committee vote 7 – 0 favorable.

ITEM #3

Application for a Special Permit under Chapter 275-52 B 13 for the purpose of an animal kennel license – 4 pet dogs located at 162 Empire Street.

Applicant – Nathan Mahoney, 162 Empire Street, Chicopee, MA 01013

Nathan Mahoney was present at the meeting. He stated that he is applying for this special permit for a kennel license not to breed dogs but to keep the family of dogs together.

Public Input

Oleg Titarenko stated that the dogs bark constantly. There is no peace. They are aggressive and the whole family has been suffering.

Rachelle Royer, 53 State Street, stated that the dogs bark and it's awful to live there. She also stated that Nathan makes a valid effort to control the dogs. He's a good neighbor. The peace is disturbed by the dogs and she is concerned about noise getting worse.

Councilor Labrie asked if Ms. Royer has called the police. Ms. Royer stated that she wants to keep peace in the neighborhood.

Councilor Courchesne stated that the applicant immediately stated that they are dogs and they bark. The neighbors have a right to have a quality of life.

Councilor Zygarowski asked how long the applicant has had the dogs. Mr. Mahoney stated that he's had the 2 dogs for 7 years and the new dogs 5 months.

Reports read from the following:

Planning Department – Property is zoned Residential A; Animal Kennel licenses (3 or more dogs) in Residential A Districts require a Special Permit under 275-52 (B) (13); Applicant is looking to obtain a Special Permit for an Animal Kennel license for four (4) pet dogs; Planning recommends approval based upon Building and Health Departments confirming the property is adequate and appropriately maintained.

Health Department – License approval pending rabies certificates for the following dogs: Lady and Mia. Kennel inspection done on 5/23/2022.

Engineering Department – No Engineering Department comments

Fire Department – No issues

Motion made by Councilor McAuliffe and second by Councilor Labrie to deny.

Committee vote 7 – 0 favorable to deny.

ITEM #2

Application for a Special Permit under Chapter 275-58 (C) 4 for the purpose of transferring a liquor license from current owner to new owner located at 300 Carew Street.

Applicant – Tanya M. Picard, 86 Beaumont Avenue, Chicopee, MA 01013

Attorney Michael Labrie was present at the meeting representing the applicant. He stated that his client has a purchase and sale agreement with the present owner. They plan to run the business the same way as the present owner.

Reports read from the following:

Planning Department – Property is zoned Business A; eating and drinking places with the consumption of alcohol in Business A Districts require a Special Permit under 275-58 (C) (4). Applicant is looking to transfer real estate and business, including Liquor (all alcohol). License for the consumption of alcohol for an existing establishment, this requires a new Special Permit under 275-58 (C) (4) for the new owners; Planning sees no issue with the proposed Special Permit outside of confirming with Building and Fire that all Building Codes and Life Safety requirements are met with the property's current layout; and Planning recommends approval of the Special Permit.

Health Department – No concerns at this time

Engineering Department – No Engineering Department concerns no site alterations proposed

Fire Department – No concerns

Councilor Krampits stated that he has not received any calls or emails from abutters regarding this application.

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

Committee vote 6 - 0 favorable. Councilor Labrie abstained.

ITEM #4

Application for a Special Permit under Chapter 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 Street.

Applicant – UH STORAGE (DE) LIMITED, Jeff Nadeau, PO Box 29046, Phoenix, AZ 85038

Jeff Nadeau was present at the meeting. The location was originally approved in 2004. Then additional trucks were moved from the Memorial Drive facility and that was done without approval. He has met with the Planning Department and have accepted a site plan for the facility on Montgomery Street. The site plan does require a zone change for a small portion of the property. The property is 96% Business B and just 4% Business A. The zone change application has been submitted.

Lee Pouliot stated that SPRAC has held their meeting and offer the following comments regarding this project. The applicant has agreed to file for a zone change. The only other major issue is to adjust the location of one of the longer storage units along Granby Road that goes over the water main to the main building. Lee stated that he is confident that if the committee was to approve the Special Permit this evening conditional on the Zone Change being approved and SPRAC comments being addressed that would complete the site plan with the applicant in the next couple of weeks. There is nothing in the SPRAC report that is a significant issue.

Councilor Labrie asked what will be placed along Granby Road where the storage units are now located. Mr. Nadeau stated that those units will be moved up 10.5 feet.

**Departmental (SPRAC) Comments
Special Permit Site Plan – UHaul - 499 Montgomery Street
June 28, 2022**

Planning Department:

1. Applicant to apply for a Zone Change from Business A to Business B for the northern triangle of the property.
2. Storage Units along Granby Road must maintain minimum of a 10' setback from the property line.
3. Storage Units in front of the main building must maintain minimum of a 25' setback from the front property line. (Montgomery St. side)
4. Show dimensions of parking spaces on plan. Minimum requirement is 9' x 18'.
5. Confirm with the Fire Department that the 7' separation between the two storage unit buildings along Granby Road is acceptable.
6. Snow storage – add note to plan regarding snow management.
7. The parking spaces along the western and southern sides of the main building and those along the Montgomery Street property line must be removed on the ground per the submitted site plan dated June 22, 2022. (See attached aerial photo)

Engineering Department:

8. The Contractor shall obtain a Street Occupancy Permit through the DPW Engineering Department prior to any work that may occur within the rights-of-ways of Granby Road or Montgomery Street.

Fire Department:

9. There is no issue with hydrant blockage given the added units.

Water Department:

10. Please include with construction notes: 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 web site under Water Dept. along with Water Department Fee Schedule and Permit Documents.

11. Please include with construction notes: Chicopee Water Department is a non-member utility of DIGSAFE and you MUST contact us directly 72 hours prior to excavation at 413-594-3420 for water mark outs.

12. Please include with construction notes: All water gate and service valves are only to be operated by Chicopee Water Department Personnel.

- 13. No structures may be installed over or within 6 feet of water mains/services. The water service for 499 Montgomery St. is currently under unit 713. Either the service or storage unit must be moved. Any leaks or freeze ups within the property after the service box will be solely the responsibility of the property owner.**

Water Pollution Control:

14. WPC reports it has no relevant comments on the plans.

Police Department:

15. No Comments submitted to the Planning Department – recommends approval.

Building Department:

16. The Building Department has stated it has no comments on the plans.

Health Department:

17. No comments submitted to the Planning Department.

Conservation Commission:

18. There are no Conservation Commission jurisdictional areas on this property.

Chicopee Electric Light:

19. CEL has stated it has no comments on the plans.

Commission for the Disabled:

20. No comments submitted to the Planning Department.

Motion made by Councilor Labrie and second by Councilor Balakier to approve with SPRAC comments.

Committee vote 7 – 0 favorable.

ITEM #5

Minutes – May 25, 2022 Motion made by Councilor Zygarowski and second by Councilor Balakier to approve.
Motion passed.

Meeting adjourned at 6:30 PM.