

**Chicopee Planning Board
Voting Record and Minutes**

The Planning Board of the City of Chicopee public hearing for **Thursday, November 2, 2023 at 7 PM**
City Hall Auditorium, 3rd Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013

Meeting was called to order at 7:10 PM.

Planning Board Attendance

Member	Present	Absent	Excused
Cynthia Labrie, Chair	X		
Nathan Moreau, Vice Chair			X
Eric Oulette, Clerk	X		
Tom Reniewicz	X		
Michael Sarnelli	X		
Jay Paul	X		

Planning Department Staff Attendance

Title	Name	Present	Absent	Excused
Director	Lee Pouliot	X		
Development Manager	James Dawson	X		
Assistant Planner	Patrick Collins			X
Associate Planner	Nick Kiser			X
Senior Clerk	Kristen Pope	X		

ITEM 1: Zone Change from Residential A to Residential C for .3501 acres of property at 15 Wavel St. (Assessor Map 286, Parcel 28) for the purpose of constructing infill housing. Applicant: JCD Realty, Inc. c/o Jeffrey Daigle, 55 Fuller Rd., Chicopee, MA 01020

Notes: Chris Karney of Pioneer Land Planning presented the petition on behalf of the Applicant. Abutters in attendance had questions about density and ordinance violations associated with the property. The zone change would not create a spot zone as it is attached to an existing Residential C zoning district. Staff recommended approval. The Board voted to recommend approval to the City Council.

Motion to was made by Michael Sarnelli and seconded by Jay Paul. Vote was 5-0 to recommend approval to the City Council.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 2: Zone Change from Residential A and Business A to Residential C for 28,827 SF of property at 19 Beaumont Ave. (Assessor Map 221, Parcels 46, 47, 48, and 49) for the purpose leaving existing 3-family house on a legal lot and potentially create two single-family building lots. Applicant: David Labrie – DCL Construction, 187 Nelson St., Chicopee, MA 01013

Notes: Applicant David Labrie presented his petition to the Board. He explained the reasoning for his request. He explained he met with Planning and Building Department staff both of which supported his request. The zone change to Residential C would not be considered a spot zone since it is a request to change multiple parcels and not a single parcel. It would also eliminate a split-zoned property and eliminate a business spot zoned property in the middle of a residential neighborhood. One Abutter was opposed to the request citing traffic and 75’ frontage lots as opposed to 100’ frontage lots. The Board voted to recommend approval to the City Council.

Motion to recommend approval was made by Jay Paul and seconded by Eric Oulette . Vote was 5-0 to recommend approval to the City Council.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 3: Zone Change from Business A to Garden Industrial Planned Unit Development Type II (IPUD II) for 3.59 acres of property on East Main St. (Assessor Map 133, Parcels 1 and 2) for the purpose of office space and utilities. Applicant: KOI2KOI Associates, LLC. c/o Christopher P. Lapinski, 9 Wellesley Cir., South Hadley, MA 01075

Notes: The Applicant’s attorney presented the petition to the Board. He explained the proposed use of the property. Staff noted the change would not constitute a spot zone as it was contiguous to a larger IPUD II zoning district. A.J. Crane of A. Crane Construction and an Abutter spoke in support of the proposed zone change. The Board voted to recommend approval to the City Council.

Motion to recommend approval was made by Jay Paul and seconded by Michael Sarnelli. Vote was 5-0 to recommend approval to the City Council.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 4: (Continued from October 5, 2023) Modified Definitive Site Plan for proposed modifications to the approved Definitive Site Plan. Location: 25 Carew St., Chicopee, MA. Applicant: The Food Bank of Western Massachusetts, Inc., 95 North Hatfield Rd., P.O. Box 160, Hatfield, MA 01038

Notes: John Furman of VHB and Andrew Morehouse of the Food Bank of Western Massachusetts presented the Modified Site Plan to the Board. They explained the Enhanced Landscape Plan was approved by the Board on October 5, 2023 and since approval, installation has moved forward. It was noted that erosion controls were upgraded and replaced. Staff confirmed that it had inspected the erosion controls and they had been upgraded and replaced to a satisfactory condition. Mr. Furman reviewed the proposed solar installations, both roof mounted and parking lot canopy, and explained the roof mounted panels would not

be visible from the ground as they are surface mounted. Mr. Furman also explained the dimensions of the parking lot canopy panels. Staff explained that restrictions on solar installations is very limited per State Law. The Applicant explained the snow management plan to the Board noting there is to be no plowing or storage of snow in any statutory wetlands resource areas. Snow that could not be stored in approved areas on the property is to be removed from the site within 24 hours after a storm event.

Gates and trucks entering the property are a major concern and topic of discussion. Two permanent gates are proposed for Carew Street and one for East Main Street. Staff supports the two gates on Carew Street but is opposed to the East Main Street gate because it would prevent delivery trucks from getting off East Main Street. Not having a gate at the East Main Street entrance is concerning to Mr. Morehouse from a security standpoint. Abutters expressed concerns regarding truck drivers moving temporary gates on Carew Street to enter the site. No delivery trucks are allowed to enter from Carew Street. Temporary signs have been installed to direct trucks to East Main Street. Permanent larger signs are to be installed once they are manufactured. Mr. Morehouse explained he was pursuing a second address on East Main Street, in addition to the Carew Street address. The second address would be for trucks and deliveries only. Mr. Morehouse also explained signs would be installed directing trucks that arrive during closed hours, to the truck stop on Burnett Road. Abutters were also concerned about being able to see and hear Food Bank Staff on the employee patio. The Board added a condition to the SPRAC comments for the installation of a privacy fence around the patio. Mr. Morehouse agreed to install the fence.

Several Abutters spoke in opposition to the modifications as well as the project in general. Concerns included but are not limited to trucks and deliveries entering from Carew Street, “ugly” solar canopy over the parking lot, stormwater runoff issues, being able to see and hear Food Bank Staff on the patio, being able to see the “ugly” mobile snow removal apparatus for removing snow from the tops of trucks, and water from snowmelt. Councilor Fred Krampits spoke and asked the Board to consider the concerns of the residents, he also noted a second address was being pursued and the Council was looking into possible ordinances regarding the parking of trucks on East Main Street.

The Board’s opinion was the Applicant had satisfactorily addressed the concerns of the SPRAC review and was working to address the concerns of residents. The Board voted to approve the Modified Definitive Site Plan, accept the SPRAC comments as Conditions of Approval, and add the condition of installing a privacy fence around the employee patio.

Motion to approve the Modified Definitive Site Plan, accept the SPRAC comments as Conditions of Approval and add the condition of installing a privacy fence around the employee patio was made by Michael Sarnelli and seconded by Jay Paul. Vote was 5-0 to approve.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 5a: Site Plan with Request of Waiver Stormwater Report – for a proposed contract construction services facility for use as a contractor’s yard and associated site improvements. Location: New Ludlow Rd. and Ludlow Rd. (Assessor Map 779, Parcels 5 and 6, Map 747, Parcel 1, and Map 762, Parcel 8) Applicant: Marion Excavating Co., Inc. c/o Todd B. Marion, 749 New Ludlow Rd., South Hadley, MA 01075

Notes: Robert Levesque of R. Levesque Associates, Inc. presented the Site Plans and requested Waivers of Site Plan Regulations to the Board. The requested Waivers of Site Plan Regulations included a Waiver of submitting a Preliminary Site Plan and a Waiver of submitting a preliminary stormwater report. Applicant Todd B. Marion was in attendance to assist with answers to inquiries. It was explained that the property was zoned Industrial and the use as a contract construction service yard was an allowable use in an Industrial Zone. It was noted that there was a Cease-and-Desist Order on the property with a stay to allow the project to move through the required review processes of Preliminary and Definitive Site Plans and

Conservation. Mr. Levesque explained the project would bring the property into compliance with stormwater regulations and remedy a long standing business development on the site. He reviewed the proposed waivers and SPRAC comments with the Board. Several Residents/Abutters were present; most of whom expressed concerns such as dust, noise, tree clearing/screening, quality of life issues, and health issues from the dust, along with large piles of construction material on site. Councilors Mary Beth Pniak-Costello, Derek Dobosz, Fred Krampits, and Robert Zygarowski were in attendance. Ward Councilor Mary Beth Pniak-Costello echoed the concerns of the residents and thanked residents for attending the meeting. Two Residents/Abutters spoke in favor of the project. Staff explained their reasoning for the recommendation to deny the requested waivers. The Board voted to deny both requested Waivers of Site Plan Regulations, approve the submitted plans as Preliminary Site Plans, and consider SPRAC Comments as Conditions of Approval to be addressed in a Definitive Site Plan submittal. The Board also added a condition for Staff to meet with the Applicant to discuss neighborhood concerns.

Motion to deny the waiver of a stormwater report was made by Michael Sarnelli and seconded by Eric Oulette. Vote was 4 to 0 deny. (Jay Paul recused himself from this item citing a conflict of interest due to a business connection to the property.)

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair		X		
Eric Oulette, Clerk		X		
Tom Reniewicz		X		
Michael Sarnelli		X		
Jay Paul (Recused)				

ITEM 5b: Site Plan with Request of Waiver of Preliminary Plan – for a proposed contract construction services facility for use as a contractor’s yard and associated site improvements. Location: New Ludlow Rd. and Ludlow Rd. (Assessor Map 779, Parcels 5 and 6, Map 747, Parcel 1, and Map 762, Parcel 8) Applicant: Marion Excavating Co., Inc. c/o Todd B. Marion, 749 New Ludlow Rd., South Hadley, MA 01075

Notes: See 5a above.

Motion to deny the waiver of Preliminary Site Plan submittal was made by Michael Sarnelli and seconded by Eric Oulette. Vote was 4-0 to deny. (Jay Paul recused himself from this item citing a conflict of interest due to a business connection to the property.)

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair		X		
Eric Oulette, Clerk		X		
Tom Reniewicz		X		
Michael Sarnelli		X		
Jay Paul (Recused)				

ITEM 5c: Site Plan for a proposed contract construction services facility for use as a contractor’s yard and associated site improvements. Location: New Ludlow Rd. and Ludlow Rd. (Assessor Map 779, Parcels 5 and 6, Map 747, Parcel 1, and Map 762, Parcel 8) Applicant: Marion Excavating Co., Inc. c/o Todd B. Marion, 749 New Ludlow Rd., South Hadley, MA 01075

Notes: See 5a above.

Motion to approve the submitted Site Plans as Preliminary Site Plans with Conditions was made by Michael Sarnelli and seconded by Eric Oulette. Vote was 4 to 0 approve the submitted Site Plans as Preliminary Site Plans with Conditions. (Jay Paul recused himself from this item citing a conflict of interest due to a business connection to the property.)

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul (Recused)				

ITEM 6a: Site Plan with Request of Waiver Stormwater Report - for a proposed drive-thru coffee shop with associated site improvements, and three (3) residential lots. Location: 523 and 0 James St. (Assessor Map 690, Parcels 48 and 44D) Applicant: DDM Property Group, LLC, c/o Daniel Hannoush, 166 South Blvd., West Springfield, MA 01089

Notes: Robert Levesque of R. Levesque Associates, Inc. presented the Site Plans and requested Waivers of Site Plan Regulations to the Board. Mr. Levesque explained the proposal was to construct an exclusively drive-thru coffee shop on the Business A portion of the property and subdivide three single-family building lots on the Residential A portion. He noted that no zone change was required for this proposal and the proposed uses were by-right in the respective zoning districts. Mr. Levesque reviewed the SPRAC Comments with the Board. Several Residents/Abutters were present along with Councilors Mary Beth Pniak-Costello, Derek Dobosz, Fred Krampits, and Robert Zygarowski. Resident’s concerns included but were not limited to the following: stormwater basin becoming “stagnant and smelly,” utility easement locations, traffic becoming “disastrous and fatalistic,” emissions from cars causing harm to health, traffic queueing obstructing vehicles on Memorial Drive and James Street, decreasing property values, labor issues within Starbucks, too many curb cuts from coffee shop and residential lots, and Staff “talking down” to them. Residents also commented that “no real thought” is put into the SPRAC report. Councilor Dobosz noted he requested an attorney attend the meeting, but his request was denied. He also stated that the majority of the City Council voted in opposition to this project. Both Councilors Pniak-Costello and Dobosz noted that the Planning Board should table this request with Councilor Dobosz stating “We’re willing to do due diligence for you” to the Board. Planning Staff clarified the City Council denied a past zone change request but had no authority over Site Plan Review. Councilor Pniak-Costello stated this project is not a safe idea and that crosswalks in the area were very dangerous. She also mentioned the denial of the request to have an attorney present. Two Residents spoke in support of the proposal noting the project as proposed is a by-right use per the zoning of the property and that tax revenue from new business will help to suppress residential tax rates. Planning Director Lee Pouliot provided final comments to the Board and public. He stated the project is a by-right use and, “There is a severe misunderstanding of development rights.” He also stated that Site Plan Review is the responsibility of the Planning Board and the City Council has no authority over the approval of Site Plans. The Board discussed the project and the SPRAC Comments and voted to deny both requested Waivers of Site Plan Regulations, and the majority of the Board voted to approve the submitted plans as Preliminary Site Plans, and consider SPRAC Comments as Conditions of Approval to be addressed in a Definitive Site Plan submittal.

Motion to deny the waiver of the stormwater report was made by Michael Sarnelli and seconded by Jay Paul. Vote was 5-0 to deny the waiver of the stormwater report.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair		X		
Eric Oulette, Clerk		X		
Tom Reniewicz		X		
Michael Sarnelli		X		
Jay Paul		X		

ITEM 6b: Site Plan with Request of Waiver of Preliminary Plan - for a proposed drive-thru coffee shop with associated site improvements, and three (3) residential lots. Location: 523 and 0 James St. (Assessor Map 690, Parcels 48 and 44D) Applicant: DDM Property Group, LLC, c/o Daniel Hannoush, 166 South Blvd., West Springfield, MA 01089

Notes: See 6a above.

Motion to deny the waiver of Preliminary Site Plan was made by Michael Sarnelli and seconded by Jay Paul. Vote was 5-0 to deny the waiver of Preliminary Site Plan.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair		X		
Eric Oulette, Clerk		X		
Tom Reniewicz		X		
Michael Sarnelli		X		
Jay Paul		X		

ITEM 6c: Site Plan for a proposed drive-thru coffee shop with associated site improvements, and three (3) residential lots. Location: 523 and 0 James St. (Assessor Map 690, Parcels 48 and 44D) Applicant: DDM Property Group, LLC, c/o Daniel Hannoush, 166 South Blvd., West Springfield, MA 01089

Notes: See 6a above.

Motion to approve the Site Plan as Preliminary Site Plans with Conditions was made by Michael Sarnelli and seconded by Jay Paul. Vote was 4 in favor to 1 opposed to approve the Site Plans as Preliminary Site Plans with Conditions.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk		X		
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 7: Election of new PVPC Planning Board Representative

Motion to nominate Jay Paul was made by Michael Sarnelli and seconded by Eric Oulette. Vote was 5-0 to elect Jay Paul as the new PVPC Planning Board Representative.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 8: ANRs – There were no ANR plans to endorse.

ITEM 9: Minutes from October 5, 2023

Motion to approve was made by Thomas Reniewicz and seconded by Michael Sarnelli. Vote was 5-0 to approve.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

ITEM 10: New Business/Discussion

Notes: There was no new business discussed.

ITEM 11: Adjournment next meeting is scheduled for December 7, 2023.

Motion to adjourn was made by Michael Sarnelli and seconded by Jay Paul . Vote was 5-0 to adjourn.

Member	Approve	Deny	Table	Abstain
Cynthia Labrie, Chair	X			
Eric Oulette, Clerk	X			
Tom Reniewicz	X			
Michael Sarnelli	X			
Jay Paul	X			

Meeting adjourned at 10:00 PM.