



City of Chicopee  
City Council  
Zoning Committee

Approved 2-21-2019

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**Members**

Shane Brooks, Chair  
James Tillotson, Vice Chair  
Fred Krampits  
Frank Laflamme  
Jerry Roy  
Stan Walczak  
George Balakier

**MINUTES**  
**January 17, 2019**

The following are the minutes of a public hearing held Thursday, January 17, 2019 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

**Members Present:** Brooks, Tillotson, Krampits, Laflamme, Walczak, Roy, Balakier

**Also Present:** Councilor Vieau

The meeting was called to order at 6:30 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**

Special Permit application under 275-58 (E) (1) and 50 for the purpose of 2 signs with electronic LED message center boards, relief from signage dimensional requirements (Main St reface 25' setback to .8', Grove St 2<sup>nd</sup> ground sign setback from 10' to 1.8'), and request for 2<sup>nd</sup> ground sign located at 46 Main St.

Applicant – Sign Techniques, Tracy Janik, 361 Chicopee St., Chicopee, MA 01013

John Lemanski from Sign Techniques was present at the meeting. He stated that the bank is looking to refurbish the sign and include a message center.

Reports were read from the following departments:

**Fire Department**

No concerns

### **Health Department**

No concerns at this time

Engineering Department

Signs create a site distance issue. Pedestrians cannot easily be seen on sidewalks when pulling out of the credit union driveways.

### **Planning Department**

Business A 275-58 E (1) signs. Both signs are existing but do not meet required setbacks. Applicant to reface both signs with electronic LED message center boards. Neither sign appears to impact visibility to or from the site. Recommend approval.

### **Conditions**

- Permit to run with the applicant
- Signs to remain static for at least 11 seconds

Motion made by Councilor Laflamme and second by Councilor Brooks to approve with conditions.

Committee vote        7 – 0 favorable.

### **ITEM #2**

Special Permit application under 275-52 (B) (13) for the purpose of a kennel license on residential A zoned property located at 62 Stedman St.

Applicant – Melissa Sueiras, 62 Stedman St., Chicopee, MA 01013

Melissa Sueiras was present at the meeting. She stated that she and her husband rescue dogs. She had two Shih Tzus that passed away and during that time her daughter needed someone to watch her dog while she went to school and worked. Then they adopted a Lhasa Apso and 3 elderly Shih Tzus. Currently, they have 4 full time dogs and 1 dog that goes back and forth. 2 of the dogs are both blind and deaf. She also stated that she is very conscientious not to allow the dogs to bark excessively while they are outside.

### **Public Input**

Timothy Sugrue, 56 Stedman Street, stated that he just wanted more information. He stated that he didn't even realize that she had 5 dogs.

Karen Willemain, 96 Stedman Street, asked if the Special Permit the applicant is requesting is for the dogs she currently has. The applicant replied yes. Councilor Brooks stated that one of the conditions on the Special Permit will be not to replace dogs should some pass away.

Debra Bartula, 80 Stedman Street, she was concerned that actual kennels would be built with concrete slabs.

William Bergeron, applicant's husband, stated he supports this application.

Councilor Vieau stated that his job is to protect the integrity of neighborhood. He feels that this special permit will not disturb the neighborhood. He continued to state that what the applicant is doing is very humane.

Councilor Walczak asked who takes care of the dogs during the day. The applicant stated that she and her husband work from home.

Reports read from the following departments:

**Planning Department**

Residential A 275-52 B (13)

Applicant is requesting a kennel license to keep 5 pet dogs. Property appears to be adequate to support 5 dogs. Property is well kept. Recommend approval.

**Engineering Department**

No engineering comments

**Health Department**

No concerns regarding this property. An inspection was done in conjunction with an officer from T.J. O’Conner on December 3, 2018 animals looked good; quality of care was very good.

**Fire Department**

No concerns

**Building Department**

Noise from barking dogs is always a concern for neighbors. The house at 70 Steadman is within close proximity to the property line. The park to the rear of the property limits the number of neighbors impacted.

**Conditions**

- Applicant will not increase census if one or more of the dogs passes away. Kennel license not required for 3 dogs.
- Special Permit runs with the applicant

Motion made by Councilor Roy and second by Councilor Laflamme to approve.

**Committee vote 7 – 0 favorable.**

**ITEM #3**

Special Permit application under 275-40 (G) for the purpose of allowing for a reduction in the number of required parking spaces at the subject site located at 480 & 510 Burnett Rd.

Applicant – J & N Salema Family Limited Partnership, Peter Martins, 4 Harding Ave., Ludlow, MA 01056.

John Goddard, from R. Levesque Associates, Inc., was present representing the applicant. He stated that the subject parcel is approximately 1.24 acres and lies within the Business A zoning district. The parcel contains an existing commercial building of approximately 10,000 SF along with paved parking/drive areas and landscaping. The building is home to a Dunkin' Donuts (with drive-thru), Po's restaurant, ATM, retail space, and other professional services. The other parcel contains an existing commercial building of approximately 4,370 SF along with paved and gravel parking/drive areas and landscaping. The building is home to Dr. Deegan's restaurant.

Three of the existing entrances off of Burnett Road will be utilized and the fourth curb cut, is proposed to be relocated to better serve traffic navigation onsite. Paved parking areas will be expanded in several areas to improve parking for the existing and proposed buildings. Under proposed conditions, 197 parking spaces are required by zoning ordinance. The proposed layout will provide 128 parking spaces, which includes six handicap accessible parking spaces. The applicant is requesting a Special Permit to allow for a reduction of required parking spaces. The applicant believes this request is justified due to the staggered operations of the building uses and the availability of shared parking spaces between the two parcels.

John Goddard stated that the businesses on these parcels utilize different peak hours. The majority of the traffic for Dunkin Donuts is through the drive-thru which limits the impact of parking spaces. And most of this traffic is in the morning hours. The proposed building would mostly be used by people who arrive in the morning and leave in the afternoon.

Councilor Tillotson asked about access to the proposed building. Mr. Goddard stated that two curb cuts will be utilized to access the building; one by the existing ATM and the other through Dr. Deegan's. There is a cut through in the rear area of Dr. Deegan's. Councilor Tillotson asked what will be located within the new building. Mr. Goddard stated that right now general office uses are proposed. Councilor Tillotson stated that the reason he asked the question is because if people are going to come and stay all day it would be different then if people come and go all day. He continued that there is a traffic problem in this area. Mr. Goddard stated that the daily traffic for this parcel that would be generated is 57 in and 57 out. Councilor Vieau asked who calculated that figure? Mr. Goddard stated that it was Mann Associates, Traffic Engineers, who R. Levesque collaborated with.

Councilor Vieau asked how many new spaces are needed to meet the existing requirement for the new 10,000 SF building? John Goddard replied 40 spaces. Councilor Vieau asked how many new spaces are being created? John Goddard stated that there are 106 spaces for the existing conditions on the parcels.

Councilor Vieau read a statement from Councilor Dobosz who could not attend the meeting because he is out of town. "As Ward Councilor, I am opposed to the issuance of the proposed special permit because the additional traffic which this proposal will generate will contribute to an already unacceptable traffic hazard in that area."

Councilor Walczak asked if there are any new businesses coming or leaving from the existing plaza. Mr. Goddard stated that he is not aware of any changes. Councilor Walczak also asked if

the only truck traffic on the property will be for the Dunkin Donuts in the rear of the property. Mr. Goddard stated that the new building will have short deliveries such as UPS and FedEx.

Reports read from the following departments:

**Engineering Department**

There is no on street parking on Burnett Road

**Health Department**

No concerns at this time

**Planning Department**

Property is zoned Business B, proposed new use (office) is permitted in this district. Applicant is requesting a waiver of parking requirements from 197 spaces (required by zoning) to 128 spaces. Applicant references three flexible parking standards including:

- (1) 275-40 G (1) – protection of a sensitive environmental area
- (2) 275-40 G (7) – demand for multiple uses peak at different hours
- (3) 275-40 G (8) – shared parking between abutting properties.

Planning supports projects that minimize how much impervious surface is created. This request protects a conservation area and allows the property to function. Recommend approval.

Councilor Balakier stated that he understands that there is no official traffic impact study for additional traffic for peak and off peak hours you could probably make an argument for approval versus having constant traffic all the time.

Councilor Krampits asked if the Special Permit would run with the applicant or the land. Chairman Brooks replied that it would run with the applicant. He continued that if the land changed ownership the Council would have the new owner apply. And if there were issues the Special Permit could be reviewed.

**Conditions**

- Permit to run with the applicant
- All department report restrictions

Motion made by Councilor Roy and second by Councilor Brooks to approve.

**Committee vote      5 favorable 2 unfavorable**

Voting in favor: Brooks, Roy, Balakier, Walczak, Krampits. Voting unfavorable: Laflamme, Tillotson

**ITEM #4**

Special Permit application under Chapter 275-62 (D) for the purpose of relief of setback requirements from 25’ to 2’ for new sign placement located at 658 Fuller Rd.

Applicant – Carlos Martins, 658 Fuller Rd., Chicopee, MA 01020.

This is for Chuck's signs. The person present (did not introduce himself) stated that it will be a LED sign. Chairman Brooks stated that a new Special Permit will have to be granted for the LED sign. He continued that if a Special Permit is granted for the LED sign then this Special Permit will be held so that both Special Permit will be issued at the same time.

Councilor Brooks asked if he contacted anyone about the repaving of Fuller Road which may result in some land takings. The person representing the applicant stated that he has heard this.

Councilor Vieau stated that Councilor Dobosz is unable to attend the meeting but wanted to make certain that the applicant was aware of the widening of Fuller Road and there may be a taking in front of the property. You don't want to put up a new sign and then move it. Councilor Vieau stated that the applicant check with the City's Engineering Department. The preliminary plans are complete for Fuller Road.

Reports read from the following departments:

**Fire Department**

No concerns

**Building Department**

The building is set back 30.5 feet from Fuller Road. If relief is believed to be necessary, a 15 or 20 foot setback would still allow for the sign to be visible to traffic along Fuller Road.

**Health Department**

No concerns at this time

**Engineering Department**

Engineering has concerns about sign blocking site distance and visibility of oncoming traffic on Fuller Road.

**Planning Department**

Property is zoned Industrial; free standing signs required to be setback from the front property line by 25'. Proposed signage is setback from front property line by 2'. Proposed signage is backlit, but has no digital or moving parts; the sign does not overhand the property line. Recommend approval.

Councilor Brooks stated that the applicant needs to speak with Engineering immediately so that if there needs to be an adjustment made to the setback it can be done at the February 5<sup>th</sup> Council meeting.

**Conditions**

- Permit to run with the applicant
- Note there may be a need to address the setback requirements.

Motion made by Councilor Laflamme and second by Councilor Roy to approve.

**Committee vote      7 – 0 favorable.**

**ITEM #5**

Minutes – December 13, 2018  
passed.

Motion made by Councilor Laflamme to approve. Motion

Meeting adjourned at 7:21 PM.