

**Chicopee Planning Board
Voting Record and Minutes**

The Planning Board of the City of Chicopee public hearing for **Thursday, July 14, 2022 at 7 PM** City Hall Auditorium, 3rd Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013

Meeting was brought to order at 7:00 PM. The meeting was held in person and via Zoom for special requests.

Planning Board Attendance

| Member | Present | Absent | Excused |
|---------------------------|----------|--------|---------|
| Michael Sarnelli, Chair | X | | |
| Saulo DePaula, Vice Chair | X | | |
| Cynthia Labrie, Clerk | X | | |
| Tom Reniewicz | X | | |
| Samuel Shumsky | X | | |

Planning Department Staff Attendance

| Title | Name | Present | Absent | Excused |
|---------------------|--------------|---------------------|--------|---------|
| Director | Lee Pouliot | X | | |
| Development Manager | James Dawson | X | | |
| Associate Planner | Nick Kiser | X (Zoom) | | |

***NOTE – The Planning Board voted to take agenda Items 2 and 3 before Item 1 since Item 1 is expected to generate extensive discussion and take considerable time.**

Motion to take Item 2 and 3 before Item 1 was made by Samuel Shumsky and seconded by Cynthia Labrie. Vote was 5-0 to take Items 2 and 3 before Item 1.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|----------|------|-------|---------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 1: Definitive Site Plan for the construction of a new 11,421 SF Travel Center to include convenience foods, a sit-down or take-out restaurant, a fast-food restaurant, and amenities for truck drivers. The development will also include a 16-position refueling canopy and a 7-position refueling canopy for large commercial vehicles. Location: 357 Burnett Rd. Applicant: Pilot Travel Centers, LLC, 5508 Lonas Dr. Knoxville, TN 37909

Notes: John Furman and Joe Balskus of VHB presented the plans to the Planning Board. Mr. Furman presented the site plans while Mr. Balskus presented the traffic report which is part of the official project file in the Planning Department. Ray Vaughn of Apec presented on the above ground storage tanks; explaining that four 12,000-gallon storage tanks were being proposed. Mr. Vaughn stated above ground tanks are considered one of the most environmentally friendly fuel storage systems available. Mr. Furman explained the project and the plan changes/edits that were made since the Board approved the Preliminary Site Plans with conditions in May, 2022. He also reviewed the Site Plan Review Advisory Committee (SPRAC) comments submitted from SPRAC regarding the Definitive Site Plans. Discussion ensued regarding traffic on Burnett Road, the perceived danger of the above ground diesel fuel storage tanks, and air pollution resulting from traffic in the area. Several residents from the Burnett Road area were in attendance, all of

which were opposed to the project for one or more of the above reasons. Councilors Frank Laflamme and Derek Dobosz were also in attendance. Councilor Dobosz commented on the project stating he is opposed to “dangerous development.” He also stated the Utilities Committee of the City Council was going to hold a hearing to discuss the above-ground storage tanks. He also supports requiring an independent traffic study. He was also concerned with truck traffic traversing between the new project and the existing Pride Truck Stop. Councilor Dobosz’ opinion is that the Planning Board can deny a project based on resident’s opposition. The Planning Board allowed the public comment portion of the hearing to proceed until there was no further indication that the public had any further comments. The Board then discussed the proposal and the submitted SPRAC comments. The Board accepted the majority of the SPRAC comments as presented. However, the Board decided to allow building permits to be issued prior to written confirmation letters and permits from MassDOT and Eversource as these letters and permits have been known to take several months to acquire. The Board did condition that no Certificates of Use and Occupancy may be issued until the Applicant provides the written letters and permits from MassDOT and Eversource to the Planning Department. According to Mr. Furman verbal approvals have been given by both MassDOT and Eversource. Planning Director Lee Pouliot presented a statement on the City’s Zoning and Site Plan Regulations and summarized how the proposed project meets the City’s regulations. Per the City Building Commissioner/Zoning Enforcement Officer the proposed project is a by-right use in the zoning districts in which it is located. Because of this the Planning Board is obligated to approve the plans. Mr. Pouliot noted that if the Board was to deny the plans it could be considered a legal taking and could lead to legal action by the Applicant and an overturn by the State Courts as the State does not recognize site plan review. The Board voted to approve the Definitive Site Plans and consider the SPRAC comments Conditions of Approval with the noted amendments explained above.

Motion to approve the Definitive Site Plans with Conditions was made by Samuel Shumsky and seconded by Cynthia Labrie. Vote was 5-0 to approve the Definitive Site Plans with Conditions.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|---------|------|-------|---------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 2: Waiver of Frontage to create a single-family building lot with reduced frontage from 100’ to 90’.

Location: Granville Ave. (Assessor Map 275, Parcel 53), Chicopee, MA. Applicant: Alexander Titar, 320 East St. Chicopee, MA 01020

Notes: The Applicant, Alexander Titar presented his petition to the Board. He explained that several of the lots in the vicinity of his were similar in size to hie request. The Planning Board’s opinion was that safe and adequate access can occur on a lot at the proposed location. No Abutters were in attendance. Councilors Frank Laflamme and Derek Dobosz were in attendance.

Motion to approve was made by Samuel Shumsky and seconded by Saulo DePaula. Vote was 5-0 to approve.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|---------|------|-------|---------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Chair | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 3 Liquor License for a New Annual All Alcohol General on Premise License for The J & W Banquet Hall Location: 60-66 Cabot St. Chicopee, MA 01013. Applicant: The J & W Banquet Hall, LLC, c/o Richard Stewart, 153 Allen St. Apt. E, Springfield, MA 01108

Notes: The Applicant presented the Liquor License to the Board. The Board noted this location has housed liquor licenses in the past. There are no sensitive uses in the immediate area. The Board voted to recommend approval to the License Commission.

Motion to recommend approval was made by Cynthia Labrie and seconded by Samuel Shumsky. Vote was 5-0 to recommend approval.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|----------------|-------------|--------------|----------------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 4a: ANRs – 58 Goodhue Ave.

Notes: Planning Staff explained the ANR to the Board. The Board approved the ANR.

Motion to approve was made by Cynthia Labrie and seconded by Saulo DePaula. Vote was 5-0 to approve.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|----------------|-------------|--------------|----------------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 4b: ANRs – Bromont St.

Notes: Planning Staff explained the ANR to the Board. The Board approved the ANR.

Motion to approve was made by Cynthia Labrie and seconded by Saulo DePaula. Vote was 5-0 to approve.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|----------------|-------------|--------------|----------------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 5: Minutes from June 2, 2022

Motion to approve was made by Thomas Reniewicz and seconded by Saulo DePaula. Vote was 5-0 to approve.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|----------------|-------------|--------------|----------------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

ITEM 6: New Business/Discussion

Notes: Staff reported that Preliminary Site Plans for a Self-Storage facility on Shawinigan Drive had been submitted and would be placed on the Board's August 4, 2022 agenda.

ITEM 7: Adjournment next meeting is scheduled for August 4, 2022

Motion to adjourn was made by Cynthia Labrie and seconded by Thomas Reniewicz. Vote was 5-0 to adjourn.

| Member | Approve | Deny | Table | Abstain |
|---------------------------|----------------|-------------|--------------|----------------|
| Michael Sarnelli, Chair | X | | | |
| Saulo DePaula, Vice Chair | X | | | |
| Cynthia Labrie, Clerk | X | | | |
| Tom Reniewicz | X | | | |
| Samuel Shumsky | X | | | |

Meeting adjourned at 10:19 PM.