



APPROVED 8-30-2021

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**Members**

Stanley Walczak, Chair  
Fred Krampits, Vice Chair  
George Balakier  
Frank Laflamme  
Derek Dobosz

**MINUTES**  
**July 26, 2021**

The following are the minutes of a public hearing held Monday, July 26, 2021 at 6:30 PM held in the Auditorium, 3rd floor, City Hall, 17 Springfield Street, Chicopee, MA 01013 and via Zoom.

**Members Present** Krampits, Balakier, Laflamme (zoom), Dobosz

**Member Absent** Walczak

**Also Present** Attorney Daniel Garvey, Carl Dietz (Building Commissioner), Captain Benjamin Turnberg (Fire Department), Councilor Courchesne, Councilor Zygarowski, Councilor Labrie, Councilor Tillotson (zoom), Lee Pouliot (Planning Director, zoom)

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.

Motion made by Councilor Krampits and second by Councilor Balakier to take item #2 out of order. Motion passed.

**ITEM #2**

Service Station License for Cumberland Farms, Inc., located at 0, 668, 670 McKinstry Avenue, 671, 677, 685, 689 Grattan Street, 0, 13 Providence Street. Applicant/Address: Attorney Thomas R. Reidy, 6 South Street, Amherst, MA 01002.

Attorney Tom Reidy (Bacon and Wilson) and Phil Henry (Civil Design Group) were present at the meeting.

Attorney Reidy on behalf of Cumberland Farms stated that what he ultimately sees happening is that he will request a 60 days continuance. They would like to provide a brief presentation and then they would like to receive a lot of feedback. He continued that the property is located at the corner of Providence and McKinstry. The property is approximately 5,000 square feet. The proposal is for a retail convenience store with 8 automobile fueling stations. Supported by parking spaces. 3 curb cuts – Grattan Street, Providence

Street, and McKinstry Avenue. After preliminary discussion with the Planning Department, they recommended that the proposal come before the License Committee to get feedback. Site Plan approval is required for this project through the Planning Board which the applicant will need to apply for.

Councilor Balakier asked if a traffic study was conducted for this proposal? Attorney Reidy replied that there has not.

Councilor Labrie asked if tractor trailers will be obtaining gas at this location. Attorney Reidy replied that this would not be a truck stop.

Councilor Dobosz asked who owns this property. Attorney Reidy replied that there are many owners. The properties would be sold to an entity and Cumberland Farms would lease the property from that entity.

Reports read from the following:

Planning & Conservation Department – Per the submitted license applications, Cumberland Farms is proposing to construct a new facility on a newly assembled parcel that would aggregate 9 parcels that are all zoned Business A and have hosted both residential and businesses uses through the present day. Please note that the subject parcels are located along a Business A District that stretches along Grattan Street and is embedded within a large Residential A and Residential B District composed of a diversity of homes.

Additionally, please note that this location is the “heart” of Aldenville neighborhood, and is considered by Planning Staff to be the urban core/neighborhood center.

As such, Planning offers the following comments:

- Subject parcels are zoned Business A; per Business A the proposed uses are permitted (275-58(B)(3)(8)(18);
- Per Site Plan Review (275-6(D0) this project will require both preliminary and definitive Site Plan Reviews with the Planning Board;
- We suggest the City Council consider the following when considering these license applications:
  - While the proposed use is allowed within Business A Districts; the parcel’s location within Aldenville Center demands an appropriate site layout that enhances the urban/neighborhood center of this area
  - Applicant must propose a site layout that supports urban density and access for vehicles bikes, and pedestrians (to serve the neighborhood’s residents), and not copy the traditional model of a building surrounded by parking – common along major commercial corridors like Memorial Drive. This location requires a different layout to reflect existing neighborhood development patterns.
  - Please consider the following excerpts from the City Zoning Code and Site Plan Regulations.
  - Per 275-1 the purpose of this chapter (Zoning Ordinances) is to lessen congestion in the streets; These Site Plans regulations have been adopted for the purpose of protecting the safety, health, convenience and welfare of the inhabitants of the City of Chicopee by regulating the laying out of and construction of a developable site;  
The Planning Board shall exercise due regard; for the provision of adequate access to developable sites by ways that will be safe and convenient for travel; for lessening congestion in such ways and in adjacent public City of Chicopee Subdivisions/Site Plan Regulations Section

2 – Site Plans 4 ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in zoning ordinance; underground utility services, fire, police, and other similar municipal equipment, and lighting and other requirements that any Site Plan filed with the Planning Board shall receive the approval of the Planning Board if said plan conforms to the recommendation of the Board of Health and to the rules and regulations of the Planning Board pertaining to site plans; provided, however, that the Board may, when appropriate, waive, as provided for in Section 81-R of Chapter 41, General Laws, such portion of these rules and regulations as is deemed advisable, where such action is in the public interest and not inconsistent with the intent and purpose of the law.

Under Site Plan Regulations Section 2-10 Regulations for Site Development Projects Abutting Residentially Zoned Property:

The purpose of this section is to minimize adverse impacts of new development on residentially zoned property. When determining adverse impact the Board may consider such factors as: site lighting and light trespass; noise; traffic; parking; and exposure. To remedy impacts the Planning Board may request relocation of drive-thrus, travel lanes, parking lots, outdoor speakers, or signs and accessory uses.

Fire Department – None

Engineering – No comments on Service Station License. Engineering comments reserved for Site Plan Review.

Building Department – The proposed site at Grattan Street and McKinstry Avenue is zoned Business A. Automobile service station and retail trade are permitted uses within the district. Comments regarding the plan follow:

- Capacity of the site and stacking vehicles at pumps is a concern. Overflow onto Grattan Street would disrupt traffic.
- Vehicles exiting the site at the Grattan Street exit may prevent entering vehicles from accessing the fuel pumps.
- Are bituminous sidewalks appropriate for Aldenville Center?

Councilor Laflamme asked if this project would be required to go through SPRAC review. Lee Pouliot replied that this project will go through SPRAC review and public hearings with the Planning Board.

#### Public Input

Matthew Gaudet, 44 Providence Street, stated that he is not trying to stop a business. The proposal is an enormous gas station in a tight area. This project is not appropriate for Aldenville. There have already been two fatal accidents in this area.

Attorney Lawrence Erhardt represents Mohammad Ingman who owns the Gulf gas station. There are 50 pumps within a short distance of this property. The area doesn't need another gas station. There have already been accidents in this area and this proposal will just add to that. Crime will increase with the property being open 24 hours. Heavy traffic in this area.

Judy Tremblay, 37 Providence Street, stated that she doesn't agree with Providence Street to be used as an entrance and exit to this property.

Connie LeBlanc, 55 Providence Street, stated that Providence Street is only 28 feet wide. There are already parking problems on the street. This project would just add to the parking issues. She does not want an entrance and exit on Providence Street. Fire apparatus will not fit on the street. Providence Street is a race track. The bar on the corner is an issue also.

Robert Tremblay, 37 Providence Street, stated that this project is too big for this area. This proposal does not fit in this area. There is bad traffic congestion in this area.

Pete Gaudet, 44 Providence Street, stated that at this intersection is the entrance and exit for Aldenville Credit Union, Great China and Providence Street. Too congested

Mark Gonneville, owns 593 Grattan Street, stated that Grattan Street is a race track by adding this business will only create a bigger race track. There are already enough gas stations in the area.

Kelly, 79 Providence Street, stated that she is concerned about the value of her home if the gas station opens. She stated that there were 2 accidents. She is concerned for the potential of drug deals if the retail store is open 24 hours.

Mohammed Ameen, owns Gulf gas station on Grattan Street, kids walk to and from the school. There's lot of traffic in this area. Don't need to have another gas station in this area.

Rich Lefond, 630 McKinstry Avenue, stated that McKinstry Avenue is a raceway. Driveways are blocked. Intersection will be blocked.

Sean Goonan, asked how many lots will be consolidated for this project. Attorney Reidy replied 9. These properties were not intended to be a gas station.

Debora Sicard, 48 Providence Street, stated that she is concerned about the kids walking to and from school and having to cross the parking lot. The properties at this location need to be cleaned up. The City needs a compliance officer. This area is a disgusting mess with the bar on the corner. Heavy traffic.

Nicholas La Bonte, 72 Marcelle Street, stated that there are at least 12 gas stations within 2 mile radius. The neighborhood does not need another gas station.

Mark Texeira, 45 Providence Street, a person was hit by a car in this area. Difficulty crossing Grattan Street. The bar is an issue. The bar is not the problem but the patrons of the bar are the issues. This proposal will put the patrons of the bar congregating after the bar closes at the Cumberland Farms. Not the area for a gas station.

Rene Fagnant, 724 Grattan Street, stated that this is the second most travelled street in the City. The traffic during the daytime is very heavy.

Elizabeth Hinchey, 12 Levine Street, This is a commercial development in a very residential neighborhood. The traffic will be intolerable. She stated that the 9 parcels would be better as small businesses.

Randy Messina, 31 Providence Street, stated that cars drive down his street and constantly turn around in his driveway. Tractor trailers park on the street in front of his home to make deliveries to the bar on the corner.

Councilor Tillotson stated that this proposal is too large of this area. Providence Street is too small for this project.

Councilor Courchesne stated that the Council was very concerned about traffic on a proposed marijuana facility on Buckley Blvd. He feels that the traffic on Grattan Street far exceeds the traffic on Buckley Blvd.

Councilor Balakier stated that he has received emails stating what a negative impact this business will have on the neighborhood and it would reduce the number of housing available in already a housing shortage. There are already gas stations in this area.

Councilor Labrie stated that he is not against development. He is pleased to see that the applicant is listening to the concerns of the neighborhood. He continued that a large gas station will not work in this area. An entrance and exit on Providence Street will not work. There are already traffic concerns in the area.

Councilor Laflamme stated that an entrance and exit on Providence Street is not a good idea. He is concerned about public safety.

Councilor Zygarowski stated that this area sees heavy traffic. There are already too many gas stations. He would prefer to see small shops on these parcels.

Attorney Reidy requested that the matter be continued for 60 days. He would then work with Cumberland Farms to see what can be worked out.

Councilor Dobosz stated that he is concerned for the neighborhood. Not a good fit. He is concerned about traffic and for the people that will lose their housing.

Councilor Balakier stated that this is not the right area for this business.

Councilor Labrie stated that he has been working with the Board of Health to clean up 677 Grattan Street. Some of the brush has been cleaned off the sidewalk. He is working on the owner of the bar to clean up the area also.

Motion made by Councilor Dobosz and second by Councilor Balakier to deny.

**Committee vote      4 – 0 favorable to deny**

**Reasons for denial**

Traffic/public safety

Entrances and exits

Vehicular and pedestrian traffic

Negative impact on the neighborhood

Motion made by Councilor Balakier and second by Councilor Krampits to return to Item #1. Motion passed.

**ITEM #1**

Application for Fuel Storage License located on Grattan Street; nearest cross street McKinstry Avenue for 40,000 of underground fuel (32,000 gallons gasoline and 8,000 gallons diesel). Applicant – Attorney Thomas R. Reidy, 6 South St., Amherst, MA 01002.

Applicant requested that the application be withdrawn.

Motion made by Councilor Dobosz and second by Councilor Balakier to deny.

**Committee vote 4 – 0 favorable to deny.**

**Reasons for denial**

Traffic/Public safety

Entrances and exists

Vehicular and pedestrian traffic

Negative impact on the neighborhood

**ITEM #3**

Minutes – June 28, 2021 Motion made by Councilor Laflamme and second by Councilor Balakier to approve. Motion passed.

Meeting adjourned at 8:07 PM.