MINUTES
October 28, 2019

The following are the minutes of a public hearing held Monday, October 28, 2019 at 6:30 PM held at the RiverMills Senior Center, Small Garden Room #14A, 5 West Main Street, Chicopee, MA 01020.

Members Present: Walczak, Krampits, Brooks, Laflamme, Dobosz

Also Present: Attorney Daniel Garvey (Associate City Solicitor), Carl Dietz (Building Commissioner), Captain Benjamin Turnberg, Councilor Courchesne

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
Application for a Class II License for Mr. Clean Auto Detailing located at 904 Meadow Street.

Applicant - Evelyn Roman, 71 Blunt Road, Springfield, MA 01109

Evelyn Roman and Rafael Diaz were present at the meeting.

Mr. Diaz stated that they currently clean cars for wholesalers and dealers and he can fit 4 cars to clean for the dealers. He stated that they have storage in the back which is all parking and they would like to sell cars. He also stated that people stop by to see if they are selling cars. There is space for 3 cars on the side of the building, 4 inside, and 5 in the back. Those in the back will be sold online.

Councilor Walczak asked if the applicant has obtained incorporation paperwork.

Applicant submitted copies of her submitted paperwork to the Secretary of the State Office requesting LLC status. The applicant also submitted copies of the bond application.

Mr. Diaz submitted a letter from the business next door, Staygreen Lawnservice, Inc., stated that they are allowing Mr. Clean to utilize their parking spots. Also submitted is a letter from the church next door that Mr. Clean can utilize their spaces when they do not have services.
Reports read from the following departments:

Fire Department - Application indicates this will be a used car lot. We need to know how many cars will be allowed on site for exterior and interior storage.

Mr. Diaz stated that on the side of the building there will be 3 in the front, 2 on the side before the door, and for storage in the back where there is parking for employees there will be 5. For sale to the public will be 3.

Building Department - 5 spaces shown in rear of property do not meet the minimum requirements. It may be possible to fit 4 parallel parking spaces along the rear fence. This would require a 14 foot gate on the North West corner of the rear area. The 3 spaces shown on the South East property line are illusory and do not meet the minimum requirements. Recommend denial of the license, as there is not access to any of the parking with the exception of the 3 spaces in the front of the structure.

Health Department - No concerns at this time

Engineering Department - How do you plan on accessing the back parking lot? What are the dimensions of the parking spots in the back lot? Back lot only has room for 1 way traffic, how do you propose it flows? Is there an entrance and an exit to back parking lot? How does one safely access parking spots in the left front corner of the parking lot?

Planning Department - Property is zoned Business A; use is permitted. This property is extremely constrained being that there are two leasable spaces, one occupied by an auto repair licensee (current applicant). Parking layouts at back of property, as proposed create access and safety concerns. Recommend further review by Police, Fire, and Building prior to consideration of the used car sales license.

Carl Dietz stated that by ordinance there should be a 14 foot drive aisle to get to the back. He further stated that you could get 4 cars along the fence parallel parked.

Evelyn Roman stated that the church next door is willing to share their parking spaces when the church is not holding services. Those will only be utilized on a need basis.

Councilor Walczak asked who the manager will be onsite? Evelyn Roman stated that she is the manager and is there every day.

Councilor Dobosz asked if this is the only location of the business. Rafael Diaz replied yes.

Captain Turnberg stated that the Fire Department has been working with the applicant. They are required to obtain a flammable liquid storage cabinet. The applicant has promised to purchase one. Captain Turnberg asked the applicant to go on record that they will purchase one tomorrow.

Carl Dietz stated that the applicant is probably not the person who decides if the gate goes up. That will probably be up to the landlord.

Plan was amended. (4 spaces parallel to back fence, 14 foot gate and 9 foot gate, 3 spaces on side removed, 1 for sale in the front, 1 customer in the front, and 1 handicap in the front)
**Conditions**
Good housekeeping
No outside storage
No junk cars
No outside repairs
License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license.
Total number of vehicles 7 (1 front for sale 3 in back) 1 employee, 1 customer, 1 handicap
Hours of Operation M- Saturday 8 AM to 5 PM, Sunday 2 PM - 6 PM.
Flammable liquid storage cabinet required
One 14 foot gate at right side of building
One 9 foot gate at left side of building.

Applicant must provide completed LLC paperwork by next Thursday.

Motion made by Councilor Laflamme and second by Councilor Walczak to approve with the conditions and the following name change **Mr. Clean Used Cars, LLC, 904 Meadow Street**.

**Committee vote**  5 - 0 favorable.

**ITEM #2**
ORDERED THAT Murray Automotive, LLC, 102 Old Fuller Road, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Murray Automotive, LLC including compliance with restrictions imposed upon any licenses held by Murray Automotive, LLC. The Council may modify, suspend, fine, or revoke any license held by Murray Automotive, LLC.

Michael Murray was present at the meeting. Mr. Murray stated that both Carl Dietz and Captain Turnberg stopped by his business today and a plot plan was reviewed. Mr. Murray provided the committee the plot plan.

Carl Dietz stated that it seems that the fenced in area can easily fit 12 vehicles. Since the storage area is primarily for Murray’s while they are shuffling cars around waiting for parts. You could fit 2 cars in the front and still get into the bay door. 5 parking spaces up by Fuller Road and 2 parking spaces along the side of the building pushed as far as they can go against the hill to get good access to the back. He stated that 21 vehicles on the property will easily work there.

Captain Turnberg stated that after further analysis with his colleagues, the 2 spaces against the building should be eliminated.

Mr. Murray stated that they could easily fit 14 in the fenced in area.

Councilor Dobosz stated that he appreciates that the plan has been revised and does not want to keep calling in the business.

Councilor Laflamme asked if Mr. Murray could put screening in the fence so that the vehicles are not visible.

**Conditions**
21 cars outside
4 inside
1 handicap space
5 to the right side of the building
2 in front of the building
14 in fenced in area
None on right side along the building
Fenced area to be screened

Motion made by Councilor Dobosz and second by Councilor Walczak to approve amended restrictions and amended plot plan.

Committee vote 5 - 0 favorable.

ITEM #3
ORDERED THAT Veterans Auto Service., 238 Meadow Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Veterans Auto Service, including compliance with restrictions imposed upon any licenses held by Veterans Auto Service. The Council may modify, suspend, fine, or revoke any license held by Veterans Auto Service.

Pablo Morales license holder was present at the meeting.

Councilor Walczak asked Mr. Morales for an update on the Class II license. Mr. Morales replied that he is waiting on the bond. The insurance agent gave him a higher rate than he expected.

Attorney Garvey stated that the City Ordinance states that if the license is not picked up within 10 days the license is null and void. If the Council wants to grant the Class II License they could do that at this meeting.

The committee also informed the license holder that he is working after hours which is in violation of this license.

Councilor Laflamme asked the license holder if he is going to hard pack the parking area. Mr. Morales replied that he is planning on it.

Councilor Courchesne asked the license holder to work within his license restrictions.

Mr. Morales stated that he is waiting for his surveyor to finish the plans required to submit a Special Permit application for the storage container on the property.

Chairman Walczak reviewed the license restrictions that have been previously placed on the license.

Committee recommends:
Trailer - Special Permit required for this on lot
Outside repair must not be held
Hours worked are beyond normal hours of operation
No Sunday hours

Motion made by Councilor Laflamme and second by Councilor Walczak to approve Class II License with restrictions.
Committee vote 5 - 0 favorable.

ITEM #4
ORDERED THAT Yankee Auto Sales, 162 Chicopee Street, be called before the City of Chicopee License Committee and City Council to discuss the license(s) currently held by Yankee Auto Sales, including compliance with restrictions imposed upon any licenses held by Yankee Auto Sales. The Council may modify, suspend, fine, or revoke any license held by Yankee Auto Sales.

Russell Foisy was present at the meeting.

Chairman Walczak stated that he received a complaint of too many vehicles on the property. Mr. Foisy stated that the property is shared between another auto shop. Chairman Walczak read the restrictions that are on the license. Mr. Foisy stated that he does not rent car space inside the building. All his vehicles are outside. Mr. Foisy stated that there is a lot of juggling between cars sold and waiting to be picked up and he has a wholesaler that picks up his trade in cars.

Motion made by Councilor Krampits and second by Councilor Walczak to continue the license with existing restrictions.

Committee vote 5 - 0 favorable.

ITEM #5
Application for a Class II License for East Main Street Auto II located at 400 East Main Street.

Applicant - Albert A. Lafleur, 155 Old Lyman Road, South Hadley, MA 01075

Reports read from the following departments
Planning Department - Site is zoned Business A and proposed uses are allowed. Parking requirements: 4 spots for residential units, 7 spots for retail (convenience) store, additional spots for retail and auto repair (provided as grassed area parking). While the plan details adequate parking, Planning maintains a significant concern regarding used cars and cars for repair being parked on grassed (non-paved surfaces). This condition would lend itself to the potential for contamination at the site (leaking fluids from vehicles). Recommend denial unless parking surface can be addressed.

Building Department - Residential parking off of Hillman Street appears to only provide room for 1 vehicle. Are we going to approve parking on lawn areas? What is the proposed surface of the vehicle display areas? Does this require a SPRAC review per 275-6 of the Zoning Ordinances? Has the property been cleaned up since the prior meeting? Recommend denial of license. Paved area does not even provide adequate parking for the retail and ice cream uses per 275-40, Parking.

Fire Department - None

Engineering Department - Curb cut on Sunnyside needs a paved apron.

Councilor Krampits asked if Mr. Lafleur will cease to operate the other business he has on East Main Street. Mr. Lafleur replied that he will operate 2 businesses. Councilor Krampits expressed concerns about parking vehicles on the grass. Mr. Lafleur stated that he has plans to pave the area. Councilor Krampits stated that he will have to comply with the stormwater drainage requirements. Mr. Lafleur stated that it will not take place until next year because the asphalt plants will be closing for the
season. Mr. Lafleur stated that for the time being he could put down trap rock. Councilor Krampits stated that according to Lee Poulion that would still require the stormwater drainage. Mr. Lafleur stated that he was told it would not be required.

Councilor Dobosz asked if Mr. Lafleur will have employees. Mr. Lafleur stated that he has a 40% partner in the business that will run the other location.

**Conditions**

Good housekeeping
No outside storage
No junk cars
No outside repairs
License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license
Total number of vehicles 20 (3 customer, 1 handicap spaces)
Hours of operation M-Friday 8 AM to 5 PM, Sunday 10-12
Along with paved area consisting of tray rock and SPRAC report - must be completed by May 1, 2020 and paving completed.

Motion made by Councilor Brooks and second by Councilor Walczak to approve with recommended restrictions along with the paved area consisting of tray rock and SPRAC report must be completed by May 1, 2020 and paving completed.

**Committee vote** 5 - 0 favorable.

**ITEM #6**

Application for an Auto Repair License for East Main Street Auto II located at 400 East Main Street.

Applicant - Albert A. Lafleur, 155 Old Lyman Road, South Hadley, MA  01075

**Conditions**

Good housekeeping
No outside storage
No junk cars
No outside repairs
License holder must secure a Certificate of Occupancy prior to exercising the rights granted under this license
Total number of vehicles 20 (3 customer, 1 handicap spaces, 2 repair spaces)
Hours of operation M-Friday 8 AM to 5 PM, Sunday 10-12
Along with paved area consisting of tray rock and SPRAC report - must be completed by May 1, 2020 and paving completed.

Motion made by Councilor Krampits and second by Councilor Walczak to approve with restrictions.

**ITEM #7**

Minutes - September 30, 2019 Motion made by Councilor Brooks and second by Councilor Walczak to approve. Motion passed.

Meeting adjourned at 8:10 PM.