**Zoning Committee Meeting**
**Tuesday, May 26, 2009 @ 6:30 PM**

**ITEM #1**
Application for a Home Occupation License at 56 Ellerton St. for the purpose of custom made draperies, valances, cushions, pillows and sewing projects. Applicant: Marcia O'Donnell, same address.

**ITEM #2**
Application for a Home Occupation License located at 25 Harding St. for the purpose of shoe repair. Applicant: Andrii Onufriienko, same address.

**ITEM #3**
Application for a Special Permit under section 275-50 for the purpose of signage over public (sidewalk by no more than 2.5 ft.) property located at 95 School St. Applicant: Jose Rodriguez, same address.

**ITEM #4**
Minutes – 4-28-09

**CHICOPEE CITY COUNCIL**
ZONING COMMITTEE

ACCEPTED 6/30/09

ZONING COMMITTEE MEMBERS
Jean Croteau, Chairman
Dino A. Brunetti, Vice-Chairman
James Tillotson
George Moreau
John Vieau
Fred Krampits
Donald Demers

MINUTES
**May 26, 2009**

The following are the minutes of a public hearing held Tuesday, May 26, 2009 at 6:30 PM in the City Council Chambers, Fourth Floor, City Hall Annex, 274 Front Street, Chicopee, MA 01013.

**Members Present** Croteau, Brunetti, Moreau, Krampits, Tillotson, Demers, Vieau,

**Also Present** Dan Garvey (City Solicitor), Kate Brown (Planning Director), Councilor Robert J. Zygarowski, Anna Wrzesinski (Administrative Assistant - Mayor's Office)

The meeting was called to order at 6:30 PM

**ITEM #1**
Application for a Special Permit under section 275-50 for the purpose of signage over public property (sidewalk by no more than 2.5 ft.) located at 95 School Street.

Applicant Jose Rodriquez, 95 School Street, Chicopee, MA 01013

Dilcia Rodriquez was present at the meeting along with the property owner Anthony Maloni.

Reports were read from the following departments:

Planning: *The petitioner has opened a small grocery/deli at the corner of School and Dwight Street. The store is nicely done inside and sports a colorful sign over the front door. Unfortunately the installation of the sign was a bit premature so the applicant is applying for a special permit to allow it to stay. Recommendation - Approval if the other reviewing departments are satisfied the sign is safe.*

Fire: *No concerns*

Public Input
Joe Ryan, 76 Dwight Street, stated that the sign is huge and does not fit in the scope of a residential neighborhood. When it was illuminated it reminded him of Broadway in New York City.

Kate Brown stated the dimensions of the sign are within ordinance.

**RESTRICTIONS**
Permit to run with the applicant.
Lighted sign must be turned off at 8:30 PM.

Committee vote: 6 - 0 favorable. Councilor Demers abstained because he knows the property owner.

**ITEM #2**
Application for a Home Occupation License located at 25 Harding Street for the purpose of shoe repair.

Applicant Andrii Onufriienko, 25 Harding Street, Chicopee, MA 01013

Applicant was present at the meeting along with a translator. The translator stated that the applicant intends to repair shoes out of his home. The driveway can accommodate two vehicles. Customers will be dropping the shoes off at the home for the applicant to repair. The equipment that will be used are sewing machine, work bench and tools. There will be no additional employees only the applicant. He intends to have a sign in the window.

Councilor Demers asked whether the applicant intends to live at this property or turn it into a business. The applicant responded that he intends to live there. His wife is the property owner.

Several committee members stated that this type of business is not suited in a residential neighborhood. This business would be better suited in a store front where it would be visible to the public.

Committee vote: 1 favorable (Croteau) 6 unfavorable (Vieau, Demers, Krampits, Tillotson, Brunetti, Moreau)

**REASONS FOR DENIAL**

1. Increased traffic
2. Does not fit definition of Home Occupation License
3. Odors from adhesives
4. Difficult for Assessor's to assess square footage for tax purposes because applicant wants to locate business upstairs in the summer & basement in the winter
5. Encourage businesses to locate to storefronts

**ITEM #3**
Application for a Home Occupation License located at 56 Ellerton Street for the purpose of custom made draperies, valances, cushions, pillows and sewing projects.

Applicant Marcia O'Donnell, 56 Ellerton Street, Chicopee, MA 01013

Chairman Croteau informed the committee that the committee voted last month to approve this application contingent upon the applicant paying money owed the city. The applicant paid the amount that was owed at the time but since that time another real estate tax bill was due and is now is arrears.

The following was read: *Dear Chicopee Planning Board, I am writing to inform the Chicopee Planning Board that Marcia O'Donnell of 56 Ellerton Street, Chicopee, was released from the hospital on Monday afternoon. Marcia is eager to meet with the planning board however she unable to attend the meeting to discuss the change in zoning at this time secondary to health issues. Marcia looks forward to reconnecting with the planning board as soon as possible to reschedule another meeting soon. She will call the planning board when she is able to attend a meeting. She may be reached at 592-0582. Thank you, Jennifer L. Wolper for Marcia O'Donnell.*

Motion made to table. Motion passed.

**ITEM #4**
Minutes - April 28, 2009. Motion made to accept. Motion passed.

Meeting adjourned at 7:19 PM.