

**Zoning Board of Appeals
Voting Record and Minutes**

The Zoning Board of Appeals of the City of Chicopee public hearing for **Wednesday April 10, 2019, 6:30 PM** in City Hall Annex, Fourth Floor, City Council Chambers, 274 Front Street, Chicopee, MA 01013.

Meeting was brought to order by Anthony Gallant at 6:30.

Board of Appeals attendance:

Member	Name	Present	Absent	Excused
Regular	Anthony Gallant, Vice Chair	X		
Regular	Carissa Lisee, Clerk	X		
Regular	Gary Stamborski			X
Regular	Christina Loy	X		
Assoc.	Katherine Baldiga	X		
Assoc.	Matthew Bieda			X

Planning Staff attendance:

Title	Name	Present	Excused
Planning Director	Lee Pouliot		X
Assistant Planner	Patrick McKenna		X
Development Manager	Jim Dawson	X	

***Note: Associate Member Katherine Baldiga voted in place of one of the absent Regular members. Four Members are required for a quorum.**

Item 1: Variance (Tabled from March 13, 2019) from Chapter 275-58 for height of a structure from 40’ to 58’ to construct an air supported multi-sports complex. Location: Main St. Assessor Map 174, Parcel 18. Applicant; Chicopee Sports Center, Inc., 49 Fairfield Ave. Apt 2, Chicopee, MA 01013

Notes: This item was tabled from March 13, 2019 to allow the Applicant to provide a soil report to the Board for review. Attorney Michael Labrie (Applicant’s Attorney) presented his opinion on what constituted a hardship to the Applicant; that being the soil conditions due to the demolition of former buildings on the site. Attorney Labrie stated that constructing a traditional building on the site would be cost prohibitive to the Applicant since such a large amount of fill would have to be removed for a proper foundation. The BETA Group (Applicant’s Site Engineer) explained the proposed building design and the height of the proposed structure. Planning Staff noted that the height of the building is required to be taken from the average elevation of the site. In this case that resulted in a request for height from 40’ to 58’. 40’ being the maximum height allowed in a Business A zone.

A direct Abutter was in attendance with his Attorney and was in opposition to the project. His opinion was that the new building would negatively impact his building by casting a shadows on it due to the height. It was also his opinion the Applicant did not have a legitimate hardship because the soil conditions were man made.

It was the Board’s opinion that the soil conditions did constitute a legitimate hardship and voted to approve the Variance.

Motion to approve was made by Anthony Gallant and seconded by Katherine Baldiga. Vote was 4-0 to approve.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Vice Chair	X			
Regular	Carissa Lisee, Clerk	X			
Regular	Christina Loy	X			
Assoc.	Katherine Baldiga	X			

Item 2: Minutes from March 13, 2019

Motion to approve was made by Katherine Baldiga and seconded by Christina Loy. Vote was 4-0 to approve.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Vice Chair	X			
Regular	Carissa Lisee, Clerk	X			
Regular	Christina Loy	X			
Assoc.	Katherine Baldiga	X			

Item 3: Discussion Old/New Business

Notes: No Discussion

Item 4: Adjournment – Next Meeting May 8, 2019 (RiverMills Senior Center, 5 West Main Street, Classroom #30)

Motion to adjourn was made by Anthony Gallant and seconded by Christina Loy. Vote was 4-0 to adjourn.

Member	Voting members	Approve	Deny	Table	Abstain
Regular	Anthony Gallant, Vice Chair	X			
Regular	Carissa Lisee, Clerk	X			
Regular	Christina Loy	X			
Assoc.	Katherine Baldiga	X			

Meeting adjourned at 7:41 PM.