

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

The Zoning Board of Appeals of the City of Chicopee public hearing for **Thursday April 22, 2021, 6:30 PM** in City Hall Annex, Fourth Floor, City Council Chambers, 274 Front Street, Chicopee, MA 01013.

**Meeting was brought to order at 6:30 PM.**

Board of Appeals attendance:

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

Planning Department Staff Attendance

Title	Name	Present	Absent	Excused
Director	Lee Pouliot			X
Assistant Planner	Patrick McKenna			X
Development Manager	James Dawson	X		
Associate Planner	Nathan Moreau			X

**NOTE: Due to COVID-19, meeting was held via video conference (Zoom).**

Pursuant to Massachusetts General Laws Chapter 131, Section 40 the Chicopee Zoning Board of Appeals calls to order this public hearing today, April 22, 2021 at 6:30 pm.

Board Members are meeting in person and through video conference utilizing Zoom.

In order to ensure and satisfy CDC social distancing guidelines during the COVID-19 Pandemic and pursuant to Governor Baker’s March 23, 2020 Order as amended, the Chicopee Planning Board is conducting public hearings utilizing remote collaboration technology in accordance with Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. Chapter 30A, Section 18.

Copies of application materials for items on the Board’s agenda may be requested by phone: 413-594-1517 or by emailing Jim Dawson at [jdawson@chicopeema.gov](mailto:jdawson@chicopeema.gov)

Tonight’s public hearings will be available for viewing via the Spectrum Community Access Channel 191 or the Chicopee TV website at [www.facebook.com/ChicopeeTV](https://www.facebook.com/ChicopeeTV) or <https://vimeo.com/chicopeetv>

Public comment will be received during two timeframes. The first public comment period took place prior to the April 14, 2021 public hearings. The second public comment period occurred following the April 14, 2021 public hearings through April 22, 2021.

Public comments were submitted in writing to the Chicopee Planning Board, 4<sup>th</sup> floor City Hall Annex, 274 Front Street Chicopee, MA 01013. By email to Jim Dawson at [jdawson@chicopeema.gov](mailto:jdawson@chicopeema.gov) or by calling 413-594-1517.

**Item 1: (Continued from April 14, 2021) VARIANCE** from Chapter 275-52 area from 10,000 SF to 9,061 SF and depth from 100' to 90.65' +/- to create a single-family building lot. Location: Empire St. Assessor Map 443, Parcels 4 and 5. Applicant: Kathleen M. Anderson, 150 Stebbins St., Chicopee, MA 01020

**Notes:** The Applicant attended the hearing in person along with her husband; they presented their petition to the Board in detail on April 14, 2021 and provide a brief review at this hearing. They noted their intention was to create a “buildable lot”. Two Abutters requested Zoom meeting credentials but did not attend. Staff noted there were no public comments. The Applicant was instructed that the variance was for the lot size only and if any deviation from setback requirements was required a new Variance would have to be applied for. The Board discussed the issue of the depth of the block in which the property lies. The original layout of the neighborhood block does not meet current depth requirements. The Board voted to approve the requested Variances. Staff noted 4 votes in favor are required for the Variance to be approved.

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, Chair	X			
Regular	Carissa Lisee, Vice Chair	X			
Regular	Katherine Baldiga, Clerk	X			
Regular	Christina Loy	X			

**Item 2: (Continued from April 14, 2021) VARIANCE** from Chapter 275-52 front setback from 25' to 8' to allow for the construction of an addition to a single-family house. Location: 38 Pleasantview Ave., Chicopee, MA 01020 Applicant: Steven Yahn, same address.

**Notes:** The Applicant attended the hearing via Zoom. Edward Chapdelaine of Durkee, White, Towne and Chapdelaine represented the Applicant and also attended the hearing via Zoom. Mr. Chapdelaine provided the Board with an overview of the presentation from April 14, 2021, stating the setback being requested was due to positioning of the addition for ADA compliance. Staff noted that houses on the Applicant’s side of the street all had closer setbacks than the required 25’. Anthony Gallant noted that the location of the addition would not affect any abutter’s line of sight when entering or exiting driveways. Staff noted that it had not received any public comments. There were no further questions from the Board. The Board voted to approve the Variance.

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

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

**Item 3: (Continued from April 14, 2021) VARIANCE** from Chapter 275-40 (C) (8) (b) to allow a pavement setback from a street lot line from 8' to 0'. Location: 675 Fuller Rd. Applicant: David LaVenture, 428 East St., Chicopee, MA 01013

**Notes:** The Applicant was present via Zoom along with his representative Jessica Allan from R. Levesque Associates. Ms. Allan provided an overview of the presentation from April 14, 2021 noting the Applicant was converting a portion of the building to retail space which requires additional parking spaces. Due to a land taking for the reconstruction of Fuller Road the property lost some area that would have allowed for a proper setback. Staff noted it had solicited an opinion from the City Engineer and the response was that The Engineering

Department had no issues with the 0’ setback as long as the proposed parking lot reconstruction aligned with the Fuller Road project. The Board 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, Chair	X			
Regular	Carissa Lisee, Vice Chair	X			
Regular	Katherine Baldiga, Clerk	X			
Regular	Christina Loy	X			

**Item 4: Discussion** – Old/New Business

**Notes:** Staff noted there was one Variance for a carport setback scheduled for the May 12, 2021 hearing.

**Item 5: Adjournment** – Next Meeting May 12, 2021

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

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

**Meeting adjourned at 6:53 PM.**