



Members

Stanley Walczak, Chair
Fred Krampits, Vice Chair
Shane Brooks
Frank Laflamme
Derek Dobosz

MINUTES
July 29, 2019

The following are the minutes of a public hearing held Monday, July 29, 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, (arrived 6:43) Laflamme, Dobosz

Also Present Attorney Daniel Garvey (Associate City Solicitor), Carl Dietz (Building Commissioner), Lt. Ed Gelinias (Fire Department)

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 Laflamme and second by Councilor Walczak to take item #5 out of order. Motion passed.

ITEM #5

Application for a Service Station License for Big Y Express, #119 at 1177 Granby Road.

No. of pumps	5 dispensers
No. of storage tanks	2 underground storage tanks
Type of fuel stored	gasoline & diesel
Capacity of storage tanks	1 - 12,000 gallon UST 1 - 16,000 gallon UST (Split tank 10k/6k)
If different types of fuel storage capacity of each	- 22,000 gallons gasoline; 6,000 gallons diesel
Hours of operation	5 AM to 10 PM (7 days) Self Service X
Hours attendant is on premise	5 AM to 10 PM Full Service - N/A
Type of service and repairs, if any	N/A
Auxiliary service or sales to be provided	- Convenience Store

Present at the meeting representing Big Y were: Tony Capola, 1540 East Mountain Road, Westfield, MA; Christ Elliot, 1120 Birdsbit Road, Florence, MA; Jim Kusiewski, 370 Emmet Street, Bristol, CT.

The following reports read:

Engineering - No engineering comments

Fire - No concerns at this time. This is just a copy of plot plans that were already completed and they are now following proper procedure

Planning - Property is zoned Business A; use is permitted in the zone. Planning is questioning how this service station is operating without a license. Site plan details no changes from previous license. City Council should ensure new licensee restricts the use of their property as a cut through between Granby Road and Montgomery Street.

Councilor Laflamme praised Big Y for installing speed bumps on the property to ensure that drivers do not utilize this property as a cut through.

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

Committee vote 3 - 0 favorable. Councilor Dobosz abstained.

Motion made by Councilor Laflamme and second by Councilor Krampits to return to the regular order of business. Motion passed.

ITEM #1

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.

Councilor Dobosz stated that he was receiving calls that the property was in disarray again. As of today it appears the Mr. Murray is making an effort to reduce the number of vehicles on the property. The property has unregistered vehicles which Councilor Dobosz stated is against state law.

Mr. Murray stated that City ordinance states that a commercial garage can have more than 5 unregistered vehicles on the property. He said he found this on Chicopee's website.

Dan Garvey stated that Mr. Murray's license defines what can and cannot be on the property. Mr. Murray stated that "junk" defined is a gray area. He continued that just because it's unregistered doesn't mean it's a junk car.

Councilor Laflamme stated that the city can add to state laws.

17 cars are allowed on the property as stated on the license plus one handicap parking space.

Dan Garvey stated that if the applicant would like the City to define a junk car he would say that it has to have all 4 tires and has to have a full body.

Mr. Murray stated that the sign is rented from the City. He has an easement lease agreement for the sign along with the shed in the back.

Dan Garvey stated that plot plans are supposed to show where parked cars will be located on the property and it must meet Fire Department regulations.

Mr. Murray stated that the Fire Department (Captain Turnberg and Sarah Fisher) inspected his property right after the last License meeting and they had no problems with the layout of his cars. At the time of the inspection his property had 27 cars because there were many tow ins overnight. Dan Garvey stated that the license only allows 17. Mr. Murray replied that he cannot control tow ins overnight. Councilor Laflamme stated that Mr. Murray can control tow ins. It's his business. Tow ins don't just have a right to drop off cars at his business.

Committee suggested Mr. Murray put a sign on the property that drop offs are not allowed.

Councilor Laflamme stated that he has concerns that the Fire Department said that they are OK with 27 cars on the property. Lt. Gelinas stated that he finds that hard to believe.

Councilor Laflamme stated that a new plot plan is needed. He suggested that Mr. Murray work with the Fire Department.

Councilor Dobosz stated that the property has improved which is good. The residents in the area do not want it to look like a junkyard.

If Mr. Murray puts the junk in the back it will look better.

Motion made by Councilor Laflamme and second by Councilor Walczak to continue the license for further review of revised plan in 60 days.

Committee vote 5 - 0 favorable.

ITEM #2

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 Rd, South Hadley, MA 01075

Anmar Khalil , 105 Meadow Street, was present representing the applicant.

Reports read from the following:

Fire Department - The plans submitted are for auto sales and repairs and do not reflect the current construction of an ice cream/sandwich shop that is in between the garage and convenience store. The ice cream/sandwich shop needs to submit a description of their proposed menu/cooking operations if any to determine if this will be considered commercial cooking. Clarification is needed as to whether the garage is 2 or 3 bays. Firefighting access to the rear side of the building is limited to utilizing the driveways of 15 Hillman and 20 Sunnyside streets. This side is currently impeded by overgrowth of trees and shrubbery. Remove the shrubbery and trim the trees to allow fire department access and prevent spread in case of fire.

Engineering - Entrance off of Hillman is not wide enough for 2 way traffic. It's generally not acceptable for the handicap access isle to be used as a throughway for traffic. Repair spots are not easily accessible. Driveway off of Hillman Street should be blocked off to through traffic from parking lot.

Chairman Walczak asked how many cars the applicant wants to sell from this property. Mr. Khalil stated however many they will be allowed.

Mr. Khalil stated that they know they need to widen the entrance on the side. Al Lafleur owns this property. He is in Florida and couldn't be at the meeting.

Councilor Krampits stated that there seems to be concerns regarding this proposed business which warrant Mr. Lafleur's presence at the meeting. There's a lot of activity on this lot and it may not be practical to have that many cars to be on the lot. Mr. Lafleur should meet with Fire, Engineering, Building, and Planning. Auto Repair proposal is also of concern at this location because of the noise.

Motion made by Councilor Krampits and second by Councilor Walczak to postpone to the call of the chair.

Committee vote 5 - 0 favorable .

ITEM #3

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 Rd, South Hadley, MA 01075

Anmar Khalil , 105 Meadow Street, was present representing the applicant.

Motion made by Councilor Krampits and second by Councilor Walczak to postpone to the call of the chair.

Committee vote 5 - 0 favorable .

ITEM #4

Application for a Junk Dealer's License at 766 Memorial Drive.

Applicant - AJW Realty, LLC, Anthony Furnari, 1189 Memorial Drive, Chicopee, MA 01020

Applicant was not present at the meeting.

Motion made by Councilor Krampits and second by Councilor Walczak to postpone to the end of the meeting.
Motion passed.

ITEM #6

Application for a Class II License for Veteran Auto Service located at 238 Meadow Street.

Applicant - Pablo Morales, 19 Dianne Drive, Springfield, MA 01104

Pablo Morales was present at the meeting.

Mr. Morales stated that the fence line was moved in the revised plan as required. The storage unit in the back has been removed. Everything else remains the same.

Reports read from the following

Building - 238 Meadow Street is zoned Business A. Automobile repair services is a permitted use within the district. The location of the fence on the southeast side of the property has rendered the "Existing hardpack parking lot" area unusable per the Chicopee Parking ordinances 275-40C (14) and 275-40 H (2) as referenced below.

C(14) All parking spaces must be separated from walkways, sidewalks, roads, streets, or alleys by curbing, and all roads, streets, alleys, sidewalks, walkways, and lot lines must be protected from vehicular overhang by wheel bumpers or curbs. Wheel bumpers or curbs must be installed at least five feet from a street right-of-way line.

H(2) Off-street parking and loading facilities that make it necessary for vehicles to back out directly into a public road are prohibited, except that this prohibition does not apply to the off-street parking area of one single-family detached or semidetached dwelling units.

Carl Dietz stated that he is satisfied with the revised plan submitted today.

Engineering - Having parking spaces where the driver must back out onto the street is not recommended. According to ordinance 275-40 H2 parking and loading off street parking and loading facilities that make it necessary for vehicles to back out directly into a public road are prohibited.

Planning - Property is zoned Business A; use is permitted in the zone. Two spaces per bay required, six customer spaces provided. Handicap space must be relocated to be closest to office door. Concern regarding 10 foot driving aisle for customer parking. Please review with Engineering, Police, and Fire. Concern regarding public safety access to the rear gravel parking lot. Parking layout should be reviewed with Police and Fire.

Fire - None at this time.

Councilor Laflamme asked what the canopy will be used for. Mr. Morales stated that it will be used by customers. Councilor Laflamme stated that the handicap parking space should be closest to the building. The plan was amended to reflect that.

Restrictions

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 (2 inside, 15 outside, 3 employee, 1 customer) 1 handicap space

Hours of Operation Monday - Saturday 7 AM - 5 PM.

Motion made by Councilor Brooks and second by Councilor Laflamme to approve with restrictions and with changes to plot plan as amended.

Committee vote 5 - 0 favorable.

ITEM #7

Application for an Auto Repair License for Veteran Auto Service located at 238 Meadow Street.

Applicant - Pablo Morales, 19 Dianne Drive, Springfield, MA 01104

Pablo Morales was present at the meeting.

Same restrictions as on Class II License.

Motion made by Councilor Laflamme and second by Councilor Walczak to approve with restrictions and with changes to plot plan as amended.

Committee vote 5 - 0 favorable

ITEM #8

Application for an Auto Detailing License for Veteran Auto Service located at 238 Meadow Street.

Applicant - Pablo Morales, 19 Dianne Drive, Springfield, MA 01104

Pablo Morales was present at the meeting.

Same restrictions as on Class II License.

Motion made by Councilor Laflamme and second by Councilor Walczak to approve with restrictions and with changes to plot plan as amended.

Committee vote 5 - 0 favorable

Motion made by Councilor Krampits to put Item #4 back on the table. Motion passed.

Motion made by Councilor Brooks and second by Councilor Walczak to postpone Item 4 to the call of the chair.

ITEM #9

Minutes - June 24, 2019 Motion made by Councilor Dobosz and second by Councilor Krampits to approve. Motion passed.

Meeting adjourned at 7:45 PM.