



Members

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

APPROVED 9-30-19

**MINUTES
August 26, 2019**

The following are the minutes of a public hearing held Monday, August 26, 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 (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.

ITEM #1

Application for a Junk Dealers License at 766 Memorial Drive.

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

Brenda, 10 Highland Avenue, Chicopee, MA 01013, representing Mr. Furnari. Brenda stated that the plan is to open a jewelry store at this location.

Reports read from the following department:

Planning & Conservation

Property is zoned Business A; use is permitted. Use is permitted in Business A zone per citation above. Parking requirement: 1 space per 250 SF in public use plus 1 space per 500 SF of other gross area. Should be shown on a plan. No information regarding exact location of business within building or if entire building; this should be indicated on an aerial, sketch or plan, therefore Planning Department cannot submit a formal recommendation.

Building

766 Memorial Drive is zoned Business A and was most recently used as a jewelry store. Can I presume the license being requested is the Junk Collector and Pawn Shop under 188-7 of the Chicopee City Code? If so, retail trade is a permitted use within the district.

Engineering
No comments

Applicant is to provide a plan of the business which space will be occupied by this business. Carl Dietz is to receive the plan from the applicant. A Certificate of Occupancy will need to be in place before the business opens.

Motion made by Councilor Laflamme and second by Councilor Walczak to approve with plan as requested and approval of occupancy.

Committee vote 5 - 0 favorable.

ITEM #2

Application for a Hawkers and Peddlers License to sell flowers at various locations in the City of Chicopee.

Applicant - Doug Stewart, The Flower Guy, 106 Tavistock Street, Springfield, MA 01119

Applicant was not present. Motion made by Councilor Krampits and second by Councilor Walczak to postpone to the end of the meeting. Motion passed.

ITEM #3

ORDERED THAT Royal Coach Sales, LLC., 576 East Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Royal Coach Sales, LLC, including compliance with restrictions imposed upon any licenses held by Royal Coach Sales, LLC. The Council may modify, suspend, fine, or revoke any license held by Royal Coach Sales, LLC.

John Garcia license holder was present at the meeting. Also present were: Springfield City Councilor Michael Fenton and Kathy Brown, East Springfield Neighborhood Council.

Councilor Krampits stated that he has received calls from neighbors that there was spray painting activity at this business. He also stated that he witnessed that himself in the past. A Cease and Desist letter was sent to Royal Coach Sales, LLC in September of 2018 to stop stray painting. Councilor Krampits also stated that there is auto repair activity taking place on this site after hours.

Kathy Brown stated that neighbors at 1791 Carew Street, 291 Prentice Street, and 3 East Street, complained about the activity not related to auto sales at this business. They just want to make sure that the business owner is following all rules and regulations and that there is not spray activity.

Mr. Garcia stated that he and his employees do use spray cans to touch up jobs. They do change broken headlights. They do not do auto repair. They power wash the vehicles. They check breaks and repair breaks. To do this work power tools are used that make noise. In the last 4 weeks silicone floor was installed at the business.

Captain Turnberg stated that he visited the business today and it was very clean. He did not witness any repair activity.

Councilor Laflamme stated that the business looks clean when he has driven passed.

Springfield City Council Michael Fenton stated that the work conducted on the vehicles by Mr. Garcia and his employees would constitute an Auto Repair License in Springfield. He is not certain what the ordinance states in Chicopee.

Mr. Garcia stated that the business does not have any car lifts at this location.

Attorney Garvey stated that the work described by Mr. Garcia requires an Auto Repair License.

Mr. Garcia is to apply for an Auto Repair License.

Motion made by Councilor Krampits and second by Councilor Walczak to continue the license and refer back to License Committee if necessary.

Committee vote 5 - 0 favorable.

ITEM #4

ORDERED THAT Absolute Motors, Inc., 245 East Street, be called before the City of Chicopee License Committee and City Council to discuss the license (s) currently held by Absolute Motors, Inc. including compliance with restrictions imposed upon any licenses held by Absolute Motors, Inc. The Council may modify, suspend, fine, or revoke any license held by Absolute Motors, Inc.

Mike Awkal, 46 Ogden Street, Indian Orchard.

Councilor Krampits stated that this license was before the committee last year and one of the issues at that time was the number of cars and at that time there were two businesses sharing the same space. At that time there was discussion to work out an agreement to allow Absolute Motors to have the entire space. He continued that the committee has not heard anything from the license holder since that time. He also stated that technically the license is in violation because of the additional spaces being utilized and extending the limits. Councilor Krampits would like an update because the Council has not received an updated plot plan or an updated rental agreement.

Mr. Awkal stated that beginning on September 1st he will be paying rent for the rear part of the property.

Councilor Krampits stated that if the rear part of the property is used for an automotive business it will have to come before the committee with the proposal. He continued that there is a pickup truck in the alley behind that looks smashed up and those type of vehicles are not allowed. Mr. Awkal stated that he's waiting on the insurance. It's been going on for a while now and they are not paying out. Councilor Krampits stated that it's going to have to get moved out. Wrecked cars are not permitted.

Mr. Awkal stated that during the day there are lots of visitors. Generally, after hours it's back in order. He also stated that he stuffs the cars on the side. Councilor Krampits stated that he is not permitted to do that under his current license.

Councilor Krampits stated that a new rental agreement is to be submitted that Absolute Motors is utilizing the entire property. Also, a new plot plan will need to be submitted. Change the current plan to either all pink or all green. The license will need to be modified.

Mr. Awkal asked if cars can be parked along the building. Captain Turnberg stated no. He continued that the three cars parked against the back would prevent the Fire Department to fight a fire. Captain Turnberg stated that the back area with 3 cars needs to be kept clear of cars.

Councilor Dobosz stated that the committee is looking for a good faith effort on the part of the license holder. He also stated that he supports Councilor Krampits about junk vehicles on the property. That's the first thing Councilors get calls about.

Motion made by Councilor Krampits and second by Councilor Walczak to continue the license and refer back to the License Committee is required.

Committee vote 5 - 0 favorable.

Motion made by Councilor Laflamme and second by Councilor Krampits to bring ITEM #2 back on the table. Motion passed.

Applicant still not present.

Councilor Laflamme stated that he does not support people coming from other communities and selling on street corners when businesses in the City are selling the same flowers and paying taxes on these businesses. The city does allow city residents to sell flowers on street corners but those a city residents.

Councilor Walczak stated that he is concerned about selling at various locations throughout the city.

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

Committee vote 5 - 0 favorable.

ITEM #5

Minutes - July 29, 2019 Motion made by Councilor Laflamme and second by Councilor Brooks to approve. Motion passed.

Meeting adjourned at 7:09 PM.