

Joint Public Hearing Minutes
City Council Ordinance Committee / Planning Board
Zone Change – Special Permits of the City Council be changed to Special Permits of the Planning Board
(meeting is being recorded)

On Tuesday, September 30, 2014, the Holyoke Planning Board held a Joint Public Hearing with the Ordinance Committee of the City Council regarding Zone Change amendments to Section 4.3 Table of Principal Use where as a use by right requiring a Special Permit of the City Council be changed to a Special Permit of the Planning Board and consider whether it is more appropriate for the Planning Board or the City Council to issue any of the Special Permits that are not explicitly listed in Section 4.3. The Public Hearing was held in the City Council Chambers, 536 Dwight Street, Holyoke, Massachusetts at 6:30 p.m.

Attendance:

Planning Board

Mimi Panitch	Chairman
Christian LaChapelle.....	Vice-Chairman
Mark Joy.....	Secretary
Eileen Regan	Member
John Kelley.....	Member

Planning Department

Marcos Marrero.....	Director
Jeffrey Burkott	Principal Planner
Claire Ricker	Senior Planner
Sharon Konstantinidis.....	Head Clerk

Ordinance Committee

Gordon Alexander.....	Ward 7 Councilor
Linda Vacon.....	Ward 5 Councilor
David Bartley	At Large Councilor
Jennifer Chateaufneuf	At Large Councilor

City Council

Joseph McGiverin.....	At Large Councilor
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Others Present

Kara Cunha.....	2 nd Assistant City Solicitor
Gayle Keith	6 Farnum Drive, Holyoke First

MIMI PANITCH, at 7:23 p.m., called for a motion to open the Public Hearing Zone Change Amendment to Special Permits. A motion was made by JOHN KELLEY and seconded by MARK JOY. The motion carried 5-0.

GORDON ALEXANDER stated that Councilor Lisi was the sponsor of part of the Order and in her absence preferred to address the portion of the Order relative to whether or not the Planning Board would be given a greater role for Special Permit related activities.

The Board reviewed Section 4.3 Table of Principal Uses and a comparison sheet which listed the special permits issued by the Planning Board and those issued by the City Council.

COUNCILOR VACON wanted to know what the qualifications were for Planning Board members in comparison to the City Councilors, which are appointed by the public, prior to considering giving greater authority to the Planning Board

JOHN KELLEY stated that he understood her concern of relinquishing the responsibility of the granting authority for all the Special Permits. However, the City Council may want to consider remaining as the granting authority on Special Permits relative to the use and not those pertaining to zoning requirements and dimensional controls. COUNCILOR VACON responded that recently, a Special Permit for Multiple Principal Structures was approved during a Site Plan Review with no regard for the abutting residential properties. The power to change what happens on the land is held by one body with no opportunity from the City Council to have input.

JEFFREY BURKOTT noted that the recently approved Multiple Principal Structures is obtained through the Special Permit process and not approved during a Site Plan Review. He added that plans and public hearing notices are forwarded to the Assistant to the City Council for the Councilors to have an opportunity to provide comments in the open forum. COUNCILOR VACON responded that it was not a question of being informed, it was a question of allowing the decision making body to remain with the elected officials. She agreed with Mr. Kelley that matters regarding the use of the land should remain with the City officials, and technical matters should lie with the Planning Board in an effort to be less bureaucratic.

MIMI PANICH stated that although there may be problems with the permitting of Multiple Principal Structures and a need for more effective control, the project Councilor Vacon was alluding to happened as a result of the division of the property (Approval Not Required) and the Planning Board had no more authority than the City Council. Regarding Planning Board qualifications, she added that the Mayor, elected by the voters, appoints Planning Board members who are interviewed and approved by the City Council. The Planning Board members' term (5 years) exceeds that of the Mayor's term; the Board's is comprised of appoints that span over several Mayors.

EILEEN REGAN stated that she was happy to provide her qualifications that Mayor Sullivan found useful, however, with the revolving Board Members it may be hard to continuously provide current information. COUNCILOR VACON responded that she was not questioning the current Planning Board members' qualifications. There are those amongst us that have taken actions and political positions and, if greater power were given to the Planning Board members, should there be a separate criteria and baseline qualifications required to be on the Board.

JOHN KELLEY, with regards to Councilor Vacon's statement that members of the Planning Board have taken political positions, stated that in his term under 3 administrations, he has never taken a political position nor has the Mayor's Office ever tried to sway his vote. He noted that he took offense to the comments.

COUNCILOR ALEXANDER stated that if the City was to greatly empower the Planning Board, perhaps the selection criteria for Planning Board members should be included in the discussions equal to that of any other regulatory body.

MARK JOY stated that he has had involvement on several Boards and that it was rare to find as many business professionals as there are on the Planning Board.

GORDON ALEXANDER stated that we may currently have the ideal Board and should have discussions to enshrine that perfection.

COUNCILOR MCGIVERIN stated that if the make up and qualifications of the Planning Board is to be reviewed, perhaps the same should be done for the City Councilors.

ADJOURNMENT

There being no further business to come before the Board, MIMI PANITCH, at 7:53 p.m., called for a motion to continue the Joint Public Hearing until December 9, 2014 at 6:30 p.m. A motion was made by JOHN KELLEY and seconded BY EILEEN REGAN. The motion carried 5-0.

Respectfully submitted,



Mark Joy, Secretary
Holyoke Planning Board