

**Joint Public Hearing Minutes
City Council Ordinance Committee / Planning Board
Zone Change – 161 Lower Westfield Road
(meeting is being recorded)**

On Tuesday, November 10, 2015, the Holyoke Planning Board opened the Joint Public Hearing with the Ordinance Committee of the City Council regarding a Zone Change Petition of IG (General Industry) to IP (Industrial Park), for the property located 161 Lower Westfield Road, submitted by Emil Schlegel. The meeting was held in the City Council Chambers, 536 Dwight Street, Holyoke, Massachusetts at 6:30 p.m.

Attendance:

Planning Board

Christian LaChapelle..... Vice-Chairman
John Kelley Member
Eileen Regan Member
Harry Montalvo Associate

Planning Staff

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

Ordinance Committee

Rebecca Lisi At Large Councilor
Jennifer Chateaufneuf At Large Councilor
Linda Vacon Ward 5 Councilor
Gordon Alexander Ward 7 Councilor

Others Present

Emil Schlegel 1079 Homestead Avenue
Nicholas C. Cramb Atty Mintz Levin P.C.
Councilor Mcgiverin At Large Councilor
Atty Kara Cunha..... 2nd Assistant City Solicitor

MIMI PANITCH at 6:36 p.m., called for a motion to open the Public Hearing. A motion was made by JOHN KELLEY and seconded by EILEEN REGAN. The motion carried 4-0.

COUNCILOR LISI read the written protest letter, dated November 9, 2015, submitted by Mintz Levin P.C.

ATTORNEY CUNHA explained the zoning history of the parcel noting that the City Council cannot hear the Zone Change request until March 16, 2016.

COUNCILOR VACON asked what the options were for the petitioner. ATTORNEY CUNHA responded that the petition should be withdrawn.

The Ordinance Committee and Planning Board discussed the legal procedures going forward. It was determined that the petition cannot just sit in committee until March 2016; the same 10 valid signatures were not needed on the withdraw request; denying the petition would be invalid as it was improperly submitted before the Board, and formal action should be taken to complete to process.

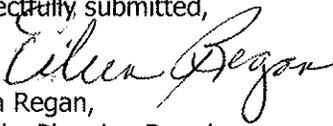
MIMI PANITCH asked for those that wish to speak in favor or against, or to ask questions, to come forward.

EMIL SCHLEGAL stated that based on the discussions, it seemed appropriate to request "Leave to Withdraw" and he would be back in March 2016.

NICHOLAS CRAMB, Council for O'Connell's Development, stated that based on statements heard, it was appropriate for the Planning Board to render a recommendation. He added that also submitted with the written protest was the March 2014 zoning opinion of the City Solicitor.

At 6:53 p.m., a motion was made by EILEEN REGAN and seconded by CHRIS LACHAPELLE to close the Public Hearing. The motion carried 4-0.

Respectfully submitted,


Eileen Regan,
Holyoke Planning Board