Joint Public Hearing Minutes
City Council Ordinance Committee / Planning Board
Zone Change – Whiting Farms Road 18-Acre Parcel
BG to BH – Gary Rome
BG to RM-20 – Helen Norris
(meeting is being recorded)

On Tuesday, March 31, 2015, the Holyoke Planning Board held Joint Public Hearings with the Ordinance Committee of the City Council to run concurrently regarding a Zone Change Petition from BG (General Business) to BH (Highway Business) and BG (General Business) to RM-20 (Multi-Family Residence, 20 units per acre). The meeting was held in the City Council Chambers, which had been relocated to the City Hall Auditorium, 536 Dwight Street, Holyoke, Massachusetts at 6:30 p.m.

Attendance:

Planning Board

Mimi Panitch	Chairman
Christian LaChapelle	Vice-Chairman
Mark Joy	Secretary
John Kelley	Member
Eileen Regan	Member
Harry Montalvo	Associate

Ordinance Committee

Rebecca Lisi	At Large Councilor
Linda Vacon	Ward 5 Councilor
Gordon Alexander	Ward 7 Councilor
Jennifer Chateauneuf	At Large Councilor
David Bartley	Ward 3 Councilor

Planning Department

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

City Council

Joseph McGiverin	At Large Councilor
James Lahey	Ward 1 Councilor
Gladys Lebron-Martinez	At Large Councilor
Dan Bresnahan	At Large

Others Present

Kara Cunha	2nd Ass't City Solicitor
Ryan Allyn	CC Admin. Assistant

Others Present

Thomas Wilson, Atty	18 Carlton Street
Tim Murphy, Architect	280 High Street
Eileen Bresnahan	57 Pleasant Street
Erin Brunelle	611 Northampton Street
Nyles Courchesne	1164 Northampton Street
Thomas Teary	25 Brainard St, So. Hadley
Peter Rosskothen	500 Easthampton Road
Elizabeth Butler	25 Hickory Street
Chris Butler	25 Hickory Street
Rick Lee	263 Oak Street
Kathi Brown	51 Magnolia Avenue
David Sepclub	750 Main Street
Jim Lavelle	HG&E & 54 Pleasant Street
Michael Moriarty	1 Lexington Avenue
Lee Vardakis	55 Jackson Street
Gary Courchesne	58 Commercial Street
David Lempke	1 Sullivan Road
Lalla B Drissi	97 Franklin Street
Kathleen Anderson	Chamber of Commerce
Mayor Alex Morse	Mayor of Holyoke
Helene Florio	31 Wellesley Road
Francis Rogers	11 Gordon Drive
Elizabeth Bigelow	19 Valley Heights
Maria Ferrer	496 Maple Street
Felic Santana Jr.	Feeding Hills
Patrick Hamel	22 Maple Crest Circle
Iveliz Velez	11 Calumet Road
Josue Rivera	13 Calumet Road
Alexander Rojko	143 Whiting Farms Road
Marty Dunn	89 Madison Avenue
Juan Romero	80 Calumet Road
Erik Taub	69 Suffolk
Steve Grande	20 Ericka Circle, EL
Terri Laramee	15 Gordon Drive
Helen Norris	2090 Northampton Street
Gayle Keith	6 Farnum Drive

Correspondence Received

Jay Kumar	Universal Plastics
Eileen Hausemann	35 Downing Avenue
William Rogalski	Holyoke Mall

MIMI PANITCH, at 6:40 p.m., called for a motion to open the Public Hearings for the above mentioned Zone Change Petitions. A motion was made by JOHN KELLEY and seconded by EILEEN REGAN. The motion carried 5-0. A motion was made by JOHN KELLEY and seconded by MARK JOY to waive the reading of the Public Hearing Notice. The motion carried 5-0.

COUNCILOR LISI introduced the City Council Ordinance Committee and Planning Board and outlined the protocol for the evening.

ATTORNEY WILSON, legal council for the petitioner Gary Rome, stated that the Zone Change from BG to BH was important to Holyoke and a great project by a local business owner. Gary Rome is a representative of Holyoke's past and future. The proposed Zone Change will bring about 10 million dollars in development, 50 new jobs, and 2 million dollars to the Holyoke Gas & Electric (HG&E) which will be used towards cleanup and marketing of other downtown sites. He added that the proposed Zone Change is not considered a "spot zone" because of the parcel size and it is located in an area that has commercial development. The proposed project will be environmentally sound, not as intrusive as a Wal-Mart or Lowes, and a positive change for Holyoke. MR WILSON stated that many are in favor of the project as the key to Holyoke's future. Correspondence has been submitted in support of the project from William Rogalski of the Holyoke Mall, Jay Kumar of Universal Plastics, and Eileen Hausmann, a lifelong Holyoke resident.

TIM MURPHY, Architect for Gary Rome, displayed a map of Route 91 which contained the abutting properties; a site map; and zoning map which explained the history of the parcel over time. A rendering of the proposed project was viewed. He stated that the proposed would occupy the northerly half of the parcel. The site, not being flat, slopes up (east) and therefore the development would be terraced; an access road would be located in the middle of the parcel which would allow delivery tricks to quickly access from Whiting Farms Road. The proposal calls for the use of LED lighting, solar panels, water retention and recovery, and a green belt along Whiting Farms Road and along the access road. ATTORNEY WILSON clarified that it would not be an "access road" but rather a driveway.

MAYOR MORSE thanked the residents for coming out whether or not they were in support of the project and thanked the various Boards for their service. He spoke in favor of the project noting that it was a great opportunity for Holyoke to express its support of business and development. The $2 million dollar sale to the HG&E will help expand the tax base and will help keep the residential tax rate low; 50 new full-time jobs will be created, and the old Main Street site will be preserved. The Office of Planning & Economic Development has worked closely with the residential and commercial abutters and will continue to oversee the development process and ensure that the applicant abides by the regulations.

GARY ROME stated that he was overwhelmed by the community support and thanked the Ordinance Committee and Planning Board for the ability to present the proposed plan for expansion; he believes in Holyoke and wants to help grow Holyoke. He provided a historical background of his family business. MR ROME noted that the Main Street facility would be remodeled and not closed. His current annual payroll to Holyoke residents would increase by $7.8 million dollars which could be invested in local Holyoke businesses. The proposed expansion would be a new state of the art eco-friendly Hyundai dealership. He supported statements by Mr. Wilson and the Mayor regarding the financial benefits to the City. He added that in addition to the 50 new full-time jobs, there would be up to 25 new part-time employees. At the completion of the proposed dealership, future plans were to build a second dealership on the site; he was not selling the land to a third party. MR ROME thanked the 100+ supporters that came out to help him grow Holyoke together!

ATTORNEY WILSON introduces the stakeholders and employees of the Gary Rome Dealership.

GAYLE KEITH, on behalf of the proponent Helen Norris and Holyoke First, stated her objection to simultaneously hearing both Zone Change applications. She felt that it was not a fair way and having to speak in front of such a large crowd was not comfortable. MS KEITH explained the reason that the Gary Rome Zone Change request from BG to BH should not be approved was because it is an incompatible use; a car dealership situated in the middle of a large neighborhood. There are over 500 units containing many families with young children. She asked at what point were the changes to the neighborhood enough and when do the residents get respect? When can they have peace in their homes? As the lot contains pollution and toxic runoff, the manager of the abutting rental properties not only has dealt with wet basements, but was now concerned for the ability to rent units with the addition of a sea of cars and asphalt. MS KEITH stated that Gary Rome can make many promises with the best of intentions and noted that conditions can change down the road. The City can not hold Gary Rome to his promises of 50 full-time jobs, 25 part-time jobs, or landscaping along the front. MS KEITH stated that the design was "hideous" and the site would be unsightly with its sheet metal sides and 18 acres of asphalt and flying flags. A lot of time and hard work went into determining what would be best for the area; this type of a car dealership was not part of the plan. The City should not jump at the first offer

since the survey because the applicant was a nice guy and has a dog. She asked if it mattered that she has 2 dogs. At what point will the residents get respect?

MIMI PANITCH noted that one aspect by the Planning Department was to ensure a development was harmonious to protect the residents and asked how much of the pavement proposed was necessary to the success of the project. Her concern was guaranteeing an ample buffer for the residents across the street and next door that will no longer see a grassy meadow but rather acres of cars. GARY ROME replied that a significant amount was covered by asphalt in the rear and the side closest to the former Transcript building (north) . The front right-of-way apron has approximately 20 or 30 feet of greenery from Whiting Farms Road and another 5 feet before the black top. He met with the residents to understand and take into account their concerns. ATTORNEY WILSON added that in speaking with the abutting property manager, her concerns regarding the remainder of greenery left and the amount of a buffer has been considered.

GARY ROME stated that the proposed design was a global design, the first of its kind. The proposed design and earth tone colors were not typical of a Hyundai dealership in an effort to be harmonious with the neighborhood.

COUNCILOR ALEXANDER reminded those present that a specific project should not be considered during a Zone Change. He asked if the design intent was to include open lawn in the front or a tree belt. GARY ROME replied that 35 feet would be plantings, shrubbery, and trees.

JOHN KELLEY also cautioned those present to avoid questions relative to Site Plan Review specifics, as a Zone Change views the current use and proposed changes. He stated that the Gary Rome proponent had identified their reasons for a Zone Change request from BG to BH. The Helen Norris proponent explained their opposition to his Zone Change petition instead of advocating for the Zone Change request to RM-20. MR KELLEY requested that a Helen Norris/Holyoke First representative present their reasons why RM-20 was a better zone. He added that although the current project is driving the Zone Change request, the proposed Zone Changes will allow for other uses in the future which need to be considered.

EILEEN REGAN concurred with MR. KELLEY and noted that Mr. Rome's business plan is irrelevant to the Zone Change.

GAYLE KEITH started that this process started in September 2013 when Wall-Mart showed an interest in the HG&E parcel. The idea was to change the property from the current zone and allow something different to protect the residents. A survey was created to determine the desire of the residents and the best use for the parcel. After discussions with the Planning Department, the RM-20 zoning district was appropriate as it would allow for a Planned Unit Development (PUD) which would allow flexibility and protect the residents from big businesses.

COUNCILOR ALEXANDER asked for clarification regarding spot zoning. The adjacent zones were viewed. ATTORNEY WILSON replied that the proposed request was not considered spot zoning because the Zone Change would have a public benefit; a benefit to the municipality as a whole; the overall size of the parcel; the overall characteristics; and the location relative to a surrounding zone. ATTORNEY WILSON noted that there was also a "reverse" spot zone which is when a zone change petition is put forward to prohibit a potential development. He believed that was the case with the Zone Change Petition to RM-20. He added that their Zone Change Petition also served no one but the proponent.

COUNCILOR BARTLEY clarified that the RM-20 proponents choose that because it allowed for the PUD noting that it required City Council approval. GAYLE KEITH responded yes and added that Gary Rome would also need City Council approval for a Special Permit.

GAYLE KEITH added that she did not feel that it was fair that, as a former cook, she had to battle a lawyer. A car dealership was not harmonious or appropriate for the small family neighborhood.

JOHN KELLEY concurred that if either Zone Change were approved, additional permitting would be required. He read the additional uses allowed by right in the BH zone.

MARK JOY stated that the R1A Zoning District also allowed for the PUD and asked if the ability to have a more intense use was the reason that zone was not a consideration. GAYLE KEITH responded that the RM-20 allowed the most flexibility, met the survey criteria, and abutted an existing RM-20 Zone. The most important criteria noted by the survey were clean air and water quality, aesthetics, and traffic.

MARK JOY stated that he was concerned that the RM-20 could allow for 300 dwelling units as of right and could generate a lot of traffic on Whiting Farms Road. GAYLE KEITH replied that the survey results also showed the desire for 55 and over housing units. Additional traffic would be expected, but a different type of traffic.

COUNCILOR LISI asked for those that wish to speak in FAVOR of the BG to BH Zone Change to come forward.

EILEEN BRESNAHAN, spoke in favor of the Zone Change noting that as a business owner on Whiting Farms Road, there have been no traffic issues from the abutting businesses (ISO New England, JP's Restaurant, and the East Bakery Company) with the exception of Christmas time. She was surprised that Mr. Rome was still pursuing his expansion with all the development hoops he still had to jump through to open a multi-million dollar business. Regarding the RM-20 Zone, she stated that if the proponent felt the City needed additional housing, they could renovate one of its abandoned buildings.

ERIN BRUNELLE, spoke in favor of the project (see letter #1) for the ability to manage the tax rate, stimulate economic growth, and support a business that gives back to the community.

NYLES COURCHESNE spoke in favor of the Zone Change and project noting that there have been no single-family developer offers for the site. The Zone Change proposal was a great opportunity to become fiscally responsible and increase Holyoke jobs and economic growth.

THOMAS TEARY spoke in favor of the Zone Change (see letter #2) and provided a character witness of Gary Rome's professional reputation.

PETER ROSSKOTHEN spoke in favor of the Zone Change and bringing money into the City, noting that the Whiting Farms Road area was asset to the City and the proposed business would increase the tax revenue.

ELIZABETH BUTLER spoke in favor of the Zone Change project noting Gary Rome's commitment to the community and the children of Holyoke.

CHRIS BUTLER spoke in favor of the project noting that the City needed the additional taxes to avoid further cuts of vital Fire Department services.

RICK LEE spoke in favor of the project noting Gary Rome's philanthropic efforts, his entrepreneurial Holyoke business, and support of the youth and education.

KATHY BROWN spoke in favor of Gary Rome's expansion noting his professional business practice.

DAVID SEPCLUB spoke in favor of the Zone Change for the opportunity to increase jobs.

JIM LAVELLE spoke in favor of the Zone Change noting that there had been several proposals for the property, none of which were for residential development. He stated that the Gary Rome project was the best proposal to date that balanced all of the interests of the key stakeholders. The proposal would be a quality development, increase jobs and tax revenue, and held long-term benefits to the City.

MIKE MORIARTY spoke in favor of the Zone Change and project noting that by expanding the tax base, Holyoke may continue to provide the city services for the children. He stated that the proposed project was a good fit as Whiting Farms Road was comprised of several businesses and did not have a residential feel. Gary Rome is an established business, has created job opportunities for the youths, and has participated in the community.

LEE VARDAKIS spoke in favor of the Zone Change and project (see letter #3) noting that this would provide an increase in employment, tax base, and draw future business.

GARY COURCHESNE spoke in favor of the project noting that it was a strong proposal by a committed business. He stated that the current administration believes that growing Holyoke is a positive thing and reminded those present of a former business that was not allowed to grow their candle business in Holyoke.

DAVID LEMPKE, as an abutting business, spoke in favor of the Zone Change noting that the Zone Change would not be detrimental to Whiting Farms Road. He added that he has not witnessed traffic delays as previously stated. During the expansion of his business, surrounding communities were considered and Holyoke was the best fit for their 750 employees.

LALLA B DRISSI spoke in favor of the project noting that Holyoke cannot continue to have businesses close or relocate and that 50 full-time and 25 part-time jobs were a good thing. The proposal was an acceptable use for the surrounding families.

KATHLEEN ANDERSON spoke in favor of the Zone Change (see letter #4) noting the longevity of the current business and its financial benefit to the City on the whole.

HELENE FLORIO spoke in favor of the Zone Change and project noting that Holyoke cannot afford to lose another business. Regardless of the fact the Gary Rome is a "good guy", the City has an opportunity to increase the tax revenue and allow the City to maintain well needed services. She stated her disappointment that the Public Hearing was not televised.

FRAN ROGERS spoke in favor of the Zone Change noting that traffic is only an issue around Christmas time and Holyoke needs every tax dollar.

ELIZABETH BIGELOW spoke in favor of the Zone Change and project (letter #5) noting that, as a trusted and dedicated businessman, Gary Rome's business would increase the City's tax base and add to the success to the City.

MARIA FERRIER spoke in favor of the Zone Change and project noting that Holyoke needed the increase in tax revenue and jobs.

FELIC SANTANA JR spoke in favor of not only the additional tax revenue, but to the character of Gary Rome as a person who is dedicated to give individuals the opportunity to grow as individuals.

PATRICK HAMEL spoke in favor of the Zone Change noting that it was a good business decision.

IVELIZ VELEZ spoke in favor of the project noting that she wanted to see Holyoke grow and no longer view dead space at the site.

JOSUE RIVERA spoke in favor of the project noting that he also wanted to see Holyoke grow.

ALEXANDER ROJKO spoke in favor of the project noting that as an abutter overlooking the empty parcel he was in favor to the proposed development.

MARTY DUNN spoke in favor of the proponent noted that he concurred with statements made relative to Gary Rome's character and the tax levy. He stated that as the State is coming upon tough budgetary times, they will not be sending additional money to Holyoke. He stated that the 2 million dollars paid to the HG&E will be used towards the cleanup of other sites for future developments; there is a great potential for growth.

JUAN ROMERO spoke in favor of the project noting Gary Rome's good character and the job opportunity he has, and will, provide.

ERIK TAUB spoke in favor of the project noting that Gary Rome's business record speaks for itself. He stated that the property has been on the market for a long time and there has always been some reason to not accept a developer. It is time to be viewed as welcoming to outsiders.

STEVE GRANDE spoke in favor of the project noting that it would contribute to the tax base. He stated that a relocation of his business was inevitable and hoped that it would be in Holyoke; a progressive City that welcomes business and understands the need to grow the tax base.

COUNCILOR LISI asked for those that wish to speak in FAVOR of the RM-20 Zone to come forward.

TERRI LARAMEE spoke in favor of the Zone Change noting that she thought the Public Hearing was for a Zone Change and not a testimony to Gary Rome. She stated that she was in favor of growth (lower taxes and more businesses) in Holyoke but not at the expense of her neighborhood. "Land should not be developed to fit a developer but rather the developer fit the zone". The city has a lot of small businesses and she did not want to see a parking lot full of cars across the street. The proposed project would

impact her property. MS. LARAMEE read MGL 40A Section 11 relating to abutter notification and noted that the Public Hearing was in violation.

COUNCILOR LISI stated that legal council had been consulted and it was noted that some abutters had not been notified. MGL Section 5 governing Map Zone Changes do not require 300 foot abutter notification only those directly abutting the parcel. Section 11 referenced by MS LARAME was for Special Permits and Variances. A legal opinion outlined the Public Hearing procedure which noted that the additional notification will be sent to allow those not notified to attend the next Public Hearing.

HELEN NORRIS spoke in favor of the Zone Change noting that a BH zone is not the best use of the last piece of property

COUNCILOR LISI asked for those that wish to speak against either Zone Change to come forward.

HELEN NORRIS spoke in opposition to the Zone Change to BH noting that this Zone Change was for one person and that she did not agree with the legal opinion that this was not a spot zone. She stated that there have been no offers for a residential development because the property has not been marketed for residential. She agreed that the City needed to increase businesses but with a development that is compatible with the neighborhood. A RM-20 or similar zone would allow continuity along Whiting Farms Road for the many long-term, tax paying, residents.

GAYLE KIETH spoke in favor of the RM-20 clarifying that the reason the property was BG in the first place was to accommodate Lowes and later Wal-Mart, who ended up backing out due to finances and not because of the neighbors. She stated that the residents are stuck with the BG zone and BH does not belong in a residential neighborhood. The Zone Change to BH was not the best use for the property.

COUNCILOR LISI stated that in order to allow those abutters that may not have been notified to come forward, the Public Hearing would need to be continued.

Adjournment

MIMI PANITCH at 9:13 p.m. called for motion to continue the Public Hearing until May 12, 2015 at 6:30 p.m. A motion was made by MARK JOY and seconded by JOHN KELLEY. The motion carried 4-1.

Respectfully submitted,

Mark Joy, Secretary
Holyoke Planning Board