

Ordinance Committee

Tuesday, March 22, 2022

Abbreviated minutes: Votes and video timestamps

Video of meeting can be found at: <https://youtu.be/7rfarPvfPJw>

Members present: Chairwoman Linda Vacon, Vice Chairman Jose Maldonado Velez, Kevin Jourdain, Israel Rivera, Kocayne Givner

Other councilors present: Will Puello, Juan Anderson-Burgos, Jenny Rivera, Tessa Murphy-Romboletti, Joseph McGiverin

Vacon called the meeting to order at 6:39 PM.

Councilor Jourdain made a motion to remove item 1 from the table. Councilor Maldonado Velez seconded the motion.

Item 1: 3-15-22 Petition of Yoeli Brene, for a street vendor license to be located on High street between Hampshire and Worcester PI

Councilor Jourdain made a motion to lay item 1 on the table. Councilor Maldonado Velez seconded the motion.

--->Laid on the table, 5-0.

(0:25)

Councilor Jourdain made a motion to suspend the necessary rules to remove items 2 and 3 from the table as a package. Councilor Maldonado Velez seconded the motion.

Councilor I. Rivera made a motion to open the public hearing. Councilor Jourdain seconded the motion.

Item 2: PUBLIC HEARING (continued from 2-22-22, 3-8-22) 1-18-22 MURPHY-ROMBOLETTI, ANDERSON-BURGOS -- Ordered that the City Council amend Holyoke Zoning Ordinances Section 7.10.5.3(a) by deleting "other use as listed in Table 4.3 of Principle uses" and inserting the following language in its place: "any pre-existing public or private school providing education in pre-kindergarten,

kindergarten, or any grades 1 through 12” or other such legal form sufficient to resolve any uncertainty over the interpretation of the existing ordinance as compliant with state law.

Councilor Jourdain made motion to amend the recommendation of the Planning Board, which reads “Any other ME shall not be located within 200 feet of any pre-existing public or private school providing education in pre-kindergarten, kindergarten, or any grades 1 through 12,” by adding “and churches, as well as buildings that contain any residential units, including transient housing such as hotels, motels and dormitories.” Vacon seconded the motion. Motion failed 2-3.

Councilor Maldonado Velez made a motion to approve item 2 according to the recommendation of the Planning Board. Councilor Givner seconded the motion.

--->Approved according to recommendation of the Planning Board. 3-2.

Item 3: PUBLIC HEARING (continued from 2-22-22 3-8-22) 1-18-22 VACON -- That the current buffer in the marijuana ordinance (200feet from any other use...)be reviewed and revised to schools, residences etc. to ensure opportunities for new marijuana businesses and to ensure continued development opportunities for established local business in accordance with our master plan, Connect, Construct, Create.

Councilor Jourdain made motion to amend the recommendation of the Planning Board, which reads “Any other ME shall not be located within 200 feet of any pre-existing public or private school providing education in pre-kindergarten, kindergarten, or any grades 1 through 12,” by adding “and churches, as well as buildings that contain any residential units, including transient housing such as hotels, motels and dormitories.” Vacon seconded the motion. Motion failed 2-3.

Councilor Maldonado Velez made a motion to approve item 3 according to the recommendation of the Planning Board. Councilor Givner seconded the motion.

---> Approved according to recommendation of the Planning Board. 3-2.

(50:40)

Councilor Jourdain made a motion to remove item 4 from the table and open the public hearing. Councilor Maldonado Velez seconded the motion.

Commissioner Panitch made a motion to open the Planning Board public hearing. Commissioner Dhaliwal seconded the motion.

Item 4: PUBLIC HEARING (joint hearing with the Planning Board, continued from 2-22-22, 3-8-22) 1-18-22 MURPHY-ROMBOLETTI, ANDERSON-BURGOS -- Ordered that the City

Council amend Holyoke Zoning Ordinances to correct the site plan review process in Section 7.10.6.5(b).

Councilor Jourdain made a motion to continue the public hearing to April 26th at 6:30 PM.
Vacon seconded the motion.

Commissioner Kruckemeyer made a motion to continue the Planning Board public hearing to April 12th at 5:30 PM. Commissioner Dhaliwal seconded the motion.

--->Continued to April 26th at 6:30 PM 5-0.

(1:35:00)

Councilor Jourdain made a motion to remove item 5 from the table and open the public hearing.
Vacon seconded the motion.

Commissioner Kruckemeyer made a motion to open the Planning Board public hearing.
Commissioner Dhaliwal seconded the motion.

Item 5: PUBLIC HEARING (joint hearing with the Planning Board, continued from 2-22-22) 12-21-21 BARTLEY, LEAHY, MURPHY, VACON -- That the Health Director, Building Commissioner and any other relevant city official meet ASAP with the Ordinance Committee to discuss odor mitigation at marijuana entities in Holyoke for the purpose of a) amending city ordinances and/or b) adding language to the list of conditions typically added to the Marijuana Special Permit.

Councilor Jourdain made a motion to continue the public hearing to May 24th at 6:30 PM.
Vacon seconded the motion.

Commissioner Kruckemeyer made a motion to continue the Planning Board public hearing to May 24th at 5:30 PM. Commissioner Panitch seconded the motion.

--->Continued to May 24th at 6:30 PM 5-0.

(1:51:00)

Councilor Jourdain made a motion to remove item 6 from the table and open the public hearing.
Councilor Maldonado Velez seconded the motion.

Commissioner Kruckemeyer made a motion to open the Planning Board public hearing.
Commissioner Panitch seconded the motion.

Item 6: PUBLIC HEARING (joint hearing with the Planning Board) 2-1-22 BARTLEY -- The Holyoke zoning ordinances shall be amended to no longer allow daycare services in R-1 or R-2 district by right but only by a city council special permit.

Councilor Jourdain made a motion to continue the public hearing to April 26th at 6:30 PM.
Vacon seconded the motion.

Commissioner Dhaliwal made a motion to continue the Planning Board public hearing to April 26th at 6:30 PM. Commissioner Panitch seconded the motion.

--->Continued to April 26th at 6:30 PM 5-0.

(2:33:55)

Councilor Jourdain made a motion to remove item 8 from the table and open the public hearing.
Councilor Maldonado Velez seconded the motion.

Item 8: PUBLIC HEARING (continued from 2-22-22) 2-7-21 Special Permit Application for Hybrid House LLC at 55 Jackson St (018-01-004) to operate a marijuana manufacturing establishment.

Vacon read the 7 standard conditions into the record:

1. That the owner of the building always pay the commercial property tax rate to the extent allowed by federal, state, and local laws for the duration of the Special Permit.
2. That the business retains a minimum 30% Holyoke residents for non-security jobs.
3. That the hiring preference be given to security personnel that are retired Holyoke police or are a retired member of another police department that now lives in the city of Holyoke.
4. There shall be no marijuana consumption allowed on site.
5. That the hours of operation be set according to City ordinances.
6. That the applicant must abide by Massachusetts General Laws and guidances from the Cannabis Control Commission.
7. That the petitioner/applicant shall conform with city and state health laws, rules, and regulations, including odor nuisance controls, for the duration of the permit.

Councilor Jourdain made a motion to grant the motion to approve item 8 with the 7 standard conditions. Councilor Maldonado Velez seconded the motion.

--->Approved 5-0.

(2:54:35)

Councilor Jourdain made a motion to remove item 9 from the table and open the public hearing.
Councilor Maldonado Velez seconded the motion.

Item 9: PUBLIC HEARING 12-7-21 Special Permit Application of GreenGrab Inc at 620 Beaulieu St (055-00-004) to operate a marijuana establishment for marijuana cultivation, product manufacturing, and delivery.

Councilor Jourdain made a motion to continue the public hearing to April 26th at 6:30 PM.
Councilor Maldonado Velez seconded the motion.

--->Continued to April 26th at 6:30 PM 5-0.

(3:38:40)

Councilor Jourdain made a motion to remove item 7 from the table and open the public hearing.
Councilor Maldonado Velez seconded the motion.

Item 7: PUBLIC HEARING (continued from 2-22-22) 12-7-21 Special Permit Application for 876
Grow Inc at 360 Race St (028-06-018A) to renovate and operate a marijuana cultivation
and processing establishment.

Councilor Maldonado Velez made a motion to continue the public hearing to April 26th at 6:30
PM. Councilor Jourdain seconded the motion.

--->Continued to April 26th at 6:30 PM 5-0.

(3:41:15)

Councilor Maldonado Velez made a motion to remove item 10 from the table and open the
public hearing. Councilor Jourdain seconded the motion.

Item 10: PUBLIC HEARING 2-15-22 Special Permit Application of River Grove LLC at 475
Canal St (032-01-004) to operate a marijuana cultivation and manufacturing
establishment.

Councilor I. Rivera made a motion to continue the public hearing to April 26th at 6:30 PM.
Councilor Maldonado Velez seconded the motion.

--->Continued to April 26th at 6:30 PM 5-0.

(4:04:30)

Councilor Maldonado Velez made a motion to remove item 11 from the table and open the
public hearing. Councilor I. Rivera seconded the motion.

Item 11: PUBLIC HEARING 1-4-22 Special Permit Application of WTM-SB LLC at 120 Middle
Water St (047-01-016) to operate a marijuana cultivation and manufacturing
establishment.

Councilor Maldonado Velez made a motion to continue the public hearing to April 26th at 6:30
PM. Councilor Jourdain seconded the motion.

--->Continued to April 26th at 6:30 PM 5-0.

(4:22:00)

Councilor Maldonado Velez made a motion to remove item 12 from the table and open the public hearing. Councilor Jourdain seconded the motion.

Item 12: PUBLIC HEARING (continued from 11-23-21, 12-14-21, 2-22-22) 9-7-21 VACON -- Amend the zoning ordinance to read any home construction in a residential zone shall be greater than 50% living space. A special permit from CC is required if the home construction will have 50% or less living space. Recently home plans have been approved and it has been communicated from the Building Commissioner that our current residential zoning allows for construction of a home that is 80% garage and 20% living space.

Councilor Maldonado Velez made a motion to continue the public hearing to May 24th at 6:30 PM. Councilor Jourdain seconded the motion.

--->Continued to May 24th at 6:30 PM 5-0.

(4:22:35)

Councilor Maldonado Velez made a motion to remove item 13 from the table. Councilor Jourdain seconded the motion.

Item 13: 3-1-22 GIVNER -- That a handicap sign be placed in front of 56 Linden St. for Hedy S. Jaundoo, Placard # PL4980420

Councilor Jourdain made a motion to approve item 13. Councilor I. Rivera seconded the motion.

--->Approved 5-0

Adjourned at 11:02 PM