



City Council

Hearings Meeting

~ Draft ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Anthony I. Wilson
413-787-6096

Monday, August 21, 2017

7:00 PM

City Hall--Room 220

I. Hearings

7:00 PM Meeting called to order on August 21, 2017 at City Hall--Room 220, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Melvin A. Edwards	Ward 3 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Present	
Adam Gomez	Ward 1 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Marcus J Williams	Ward 5 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Absent	
Kenneth E. Shea	Ward 6 Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Justin Hurst	Vice-President	Present	
Bud L. Williams	At-Large Councilor	Absent	
Orlando Ramos	President- Ward 8 Councilor	Present	

Moment of Silence - Pledge of Allegiance

Petitions

1. Petition (ID # 4154)

For a Special Permit to Operate a Drive-Up Service Window at the Property Known as 1398 (A.K.A. 1402) Allen Street (00280-0419), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	McDonald's USA, LLC
By:	William J. Squires III, Esquire
Petitioner:	McDonald's USA, LLC
By:	William J. Squires III, Esquire

COMMENTS - Current Meeting:

Council Walsh moved, without objection, to take the item out of order.

City Solicitor Edward Pikula, explained that there is a new operator of this McDonald's and that all of the differences that led to the original denial have been resolved.

Attorney Tasheena Davis, representing the City, stated that the parties agreed to have the special permit be remanded to the city council.

President Ramos opened the public hearing.

Attorney Bill Squires, representing McDonald's, spoke in favor of the petition. He stated that the restaurant is under the new ownership of Michell George.

Mary Dion, 370 forest hills road, Vice-President of the Outer Belt Civic Association, spoke in favor of the petition.

No one spoke opposition.

The public hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- 7-20-17 Remand Petition (PDF)
- Allen_St_1398_Aug_2017_Revised_(1) (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

2. Resolution (ID # 4185)

Charlottesville Resolve

COMMENTS - Current Meeting:

Council Hurst moved, without objection, to take the item out of order.

Councilor Hurst spoke in favor of the passage of the resolution.

Councilor Gomez spoke in favor of the passage of the resolution.

Councilor Marcus Williams spoke in favor of the passage of the resolution.

Councilor Shea spoke in favor of the passage of the resolution.

Councilor Walsh spoke in favor of the passage of the resolution.

RESULT: PASSED BY VOICE VOTE

3. Petition (ID # 3898)

Petition MGM 10,278

HISTORY:

03/20/17 City Council REFER TO COMMITTEE

Tim Williams, Allen and Major Associates, appeared to represent the petitioner.

Councilor Fenton referred the item to the City Council's Casino Oversight committee. Seconded by councilor Bud Williams. Passed unanimously by voice vote.

04/24/17 Casino Oversight Committee

05/15/17 City Council REFER TO COMMITTEE
Next: 07/17/17

Motion to committee by Councilor Fenton, seconded by Councilor Gomez.

Referred to the Casino Oversight committee.

07/17/17 City Council CONTINUE
Next: 08/21/17

At the request of the City Solicitor Edward Pikula this item was continued to the August hearings meeting.

COMMENTS - Current Meeting:

Chris Cignoli, Director of DPW, spoke in favor of the petition.

Councilor Fenton spoke in favor of the petition.

ATTACHMENTS:

- RIGHT OF WAY EXTENSION MGM (PDF)
- S-1839-02A-ROW-ALT-M-B-2016-06-07 (PDF)
- S-1839-02A-ROW-ALT-H-U-2016-06-07 (PDF)

RESULT: RECEIVED PASSED

4. Order (ID # 4190)

Order Accepting a Quitclaim Deed from Blue Tarp ReDevelopment, LLC Transferring MGM Way and Three Smaller Parcels to the City, and Approving a Public Way, Easement and Maintenance Agreement by and Between the City and Blue Tarp ReDevelopment, LLC

ATTACHMENTS:

- 2017_08_22_13_15_20 (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

5. Petition (ID # 4175)

CMA- Newland Street

ATTACHMENTS:

- Newland Street petition (PDF)
- Newland Drawing (2) (PDF)

RESULT:	RECEIVED PASSED
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6. Petition (ID # 4176)

Lighttower- 95 State Street

ATTACHMENTS:

- Board of Public Works Petition 95 State St (PDF)
- Springfield, MA_95 State St_Civil Prop_071717 (PDF)

RESULT:	RECEIVED PASSED
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7. Petition (ID # 4178)

CMA-Knollwood Street

ATTACHMENTS:

- Knollwood Plan (PDF)
- Petition Knollwood (PDF)

RESULT:	RECEIVED PASSED
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8. Petition (ID # 4179)

CMA- Woodlawn Street

ATTACHMENTS:

- Petition Woodlawn (PDF)
- Woodlawn plan (PDF)

RESULT:	RECEIVED PASSED
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9. Petition (ID # 4180)

Comcast- Allen Street

ATTACHMENTS:

- Allen DWG (PDF)
- Petition Allen (PDF)

RESULT: RECEIVED PASSED**10. Petition (ID # 4181)**

Verizon- Cadwell Drive

ATTACHMENTS:

- Cadwell petition(PDF)
- Cadwell Drive plan (PDF)

RESULT: RECEIVED PASSED**11. Petition (ID # 4182)**

Eversource- Pine Street

ATTACHMENTS:

- Pine St. #6261 (PDF)
- Plan #6261 (PDF)

RESULT: RECEIVED PASSED**12. Petition (ID # 4177)**

Comcast- Liberty Street

ATTACHMENTS:

- Liberty St Petition Map (PDF)
- Liberty St Springfield Petition Letter and Scope of Work (PDF)

RESULT: RECEIVED PASSED

Orders

13. Order (ID # 4183)

Community Preservation Committee Budget

COMMENTS - Current Meeting:

Bob McCarroll, Chairman of the Community Preservation Committee, stated that this a preliminary budget submitted by the committee.

In response to a question from Council Fenton, Mr. McCarroll stated that even though money in the preliminary budget mentions an employee the committee has not determined if it needs to have an employee.

In response to a question from Council Allen, Mr. McCarroll stated that the committee hopes to present a plan to the council by May of 2018.

The Council voted unanimously to suspend rule 19.

ATTACHMENTS:

- FINAL-Order for CPC Budget-FY 18 (2) (DOC)
- Budget Attachment-August 21 2017 Hearing (DOCX)

RESULT:	ADOPTED [11 TO 0]
MOVER:	Orlando Ramos, President- Ward 8 Councilor
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

14. Order (ID # 4184)

Election Warrant and Establishment of Polling Places

COMMENTS - Current Meeting:

Gladys Oyola, the Elections Commissioner, spoke in favor of the order.

ATTACHMENTS:

- polling place 2017 (DOC)

RESULT:	ADOPTED [10 TO 0]
AYES:	Edwards, Allen, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	Timothy J. Rooke, E. Henry Twiggs, Bud L. Williams

Special Permits

15. Petition (ID # 4151)

For a City Council Site Plan Review, to Review the Proposed Signage Associated with the Location of a Licensed Casino and Casino Complex Within the Boundaries Established by the City of Springfield for Casino Gaming Activities as Outlined Under the Casino Overlay District Regulations (Article 8, Section 8.5) at the Properties Generally Bounded by State Street, Main Street, Union Street and East Columbus Avenue

Request:	See Above
Owner:	Blue Tarp Redevelopment, LLC/MGM Springfield Redevelopment, LLC
By:	Seth Stratton, Esquire
Petitioner:	Blue Tarp Redevelopment, LLC
By:	Seth Stratton, Esquire

COMMENTS - Current Meeting:

The hearing was opened.

Attorney Frank Fitzgerald, representing the Petitioner, spoke in favor of the site plan.

No one spoke in opposition to the petition.

The public hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- Blue_Tarp_ReDevelopment_Signage_Aug_2017 (PDF)
- Casino_Overlay_Site_Plan_Review_Signs_Aug_2017 (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

16. Petition (ID # 3928)

For a Special Permit to Allow for the Construction of a New Fourteen (14) Unit Residential (Townhouse) Development at the Properties Known as SS Boston Road (01655-0693), WS Lamont Street (07470-0003) and ES Morton Street (08860-0134), as Allowed by the Springfield Zoning Ordinance, Article 4, Table 4-2 and Table 4-4, Section 2.3(1) and M.G.L.

Request:	See Above
Owner:	Nicholas L. Graham
By:	Nicholas L. Graham
Petitioner:	Nicholas L. Graham
By:	Nicholas L. Graham

HISTORY:

06/26/17	City Council	LAY ON TABLE
Next: 08/21/17		

Councilor Marcus Williams moved to tabled the item. Seconded by Councilor Walsh

COMMENTS - Current Meeting:

Attorney Ellen Freyman, representing the petitioner, stated that they would like to have the matter continued to the November meeting.

Motion to continue by Councilor Edwards and Seconded by Councilor Walsh. Councilor Fenton abstained from the vote.

ATTACHMENTS:

- SS_Boston_Rd_Tax_Formal (PDF)
- Boston_Rd_461_2017 (PDF)

RESULT: CONTINUE**Next: 11/27/2017 7:00 PM****17. Zoning Ordinance (ID # 3964)**

To Change the Zoning of the Properties Known as SS Boston Road (01655-0693), WS Lamont Street (07470-0003) and ES Morton Street (08860-0134) from Business a to Residence C.

PETITIONER:**Nicholas L. Graham****ADDRESS:****SS Boston Road, WS Lamont Street
and ES Morton Street****CHANGE REQUESTED:****Bus A to Res C****HISTORY:**

05/01/17 Next: 06/26/17	City Council	RECEIVED 1ST STEP
05/03/17 Next: 06/21/17	Planning Board	MOTION TO CONTINUE
06/21/17	Planning Board	APPROVED
06/26/17	City Council	

Layed on the table.

COMMENTS - Current Meeting:

Attorney Ellen Freyman, representing the petitioner, stated that they would like to have the matter continued to the November meeting.

Motion to continue by Councilor Edwards and Seconded by Councilor Walsh. Councilor Fenton abstained from the vote.

ATTACHMENTS:

- 3188_Boston_Rd_461_2017_CC (PDF)

RESULT: MEETING CANCELED**Next: 11/27/2017 7:00 PM****18. Petition (ID # 4068)**

For a Special Permit Involving Exterior Renovation and New Construction Totalling More Than One Thousand (1,000) Square Feet at the Property Known as 600 Belmont Avenue (01235-0110) in Accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31(A) (Neighborhood Commercial Design Overlay District) and M.G.L.

Request:	See Above
Owner:	Cui Qing Zhang
By:	Cui Qing Zhang

Petitioner: Cui Qing Zhang
By: Cui Qing Zhang

COMMENTS - Current Meeting:

Motion to continue by Councilor Shea and Seconded by Councilor Walsh.

ATTACHMENTS:

- Belmont_Ave_600_Tax_Formal (PDF)

RESULT: CONTINUE**Next: 9/26/2017 7:00 PM****19. Petition (ID # 4119)**

To Amend an Existing Special Permit (Motor Vehicle Sales), Granted June 2007, by Allowing a Change in the Petitioner at the Properties Known as 490-510 Main Street (08130-0045), WS Main Street (08130-0047 & 0048), SS Norwood Street (09150-0051) and NS Broad Street (01920-0004), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 12.1.

Request: See Above
Owner: Bar South Land Holdings, LLC
By: James Demas
Petitioner: Bar South Land Holdings, LLC
By: James Demas

COMMENTS - Current Meeting:

The hearing was opened.

Attorney Michael Sweet, representing the petitioner, spoke in favor of the petition.

Leo Florian, president of the South End Citizens Council, spoke in favor of the petition.

In response to a question from Councilor Walsh, the petitioner stated that Bear Auto went out of business.

No one spoke in opposition.

The public was closed.

Councilor Edwards spoke in favor of the petition.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.

- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- Main_St_490_Tax_Formal (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

20. Petition (ID # 4121)

For a Special Permit for an Indoor Place of Amusement (Escape Room) at the Property Known as 141 State Street (11110-0637), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 17.2(1).

Request:	See Above
Owner:	Paul Kalill & Gerald Glasser
By:	Paul Kalill & Gerald Glasser
Petitioner:	James Krobath
By:	James Krobath

COMMENTS - Current Meeting:

The hearing was opened.

James Krobath, from North Carolina, the petitioner, stated that the escape is a combination of team building exercises that can be enjoyed by families and corporations.

No one spoke in opposition to the petition.

In response to a question from Councilor Gomez, the petitioner stated that he had not met with the neighborhood board.

Mr. Krobath stated that he met with Charlie Knight about the petition.

Councilor Marcus Williams stated that he was concerned about the businesses plans to get a liquor license.

Councilor Walsh made a motion to continue the matter to the next hearings meeting. Seconded by Councilor Gomez.

Councilor Edwards stated that he does not think that the item should continued.

Councilor Gomez withdraws his second to the motion to committee.

Councilor Shea stated that escape rooms started as team building exercises for corporations. He stated that they are family-friendly activities.

The motion to committee failed.

The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- State_St_141_Tax_Formal (PDF)
- State_St_141_2017 (PDF)

RESULT:	APPROVED [10 TO 1]
AYES:	Edwards, Allen, Rooke, Gomez, Williams, Ashe, Shea, Fenton, Hurst, Ramos
NAYS:	Kateri B. Walsh
ABSENT:	E. Henry Twiggs, Bud L. Williams

21. Petition (ID # 4149)

For a Special Permit to Operate a Drive-Up Service Window at the Property Known as SS Allen Street (A.K.A. 1444) (00280-0429), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	Joseph Bonavita
By:	Joseph Bonavita
Petitioner:	Florance Bank
By:	Mark Cavanugh

COMMENTS - Current Meeting:

Luke Destefano, representing the Petitioner, spoke in favor of the petition. He stated that the petitioner would build a Florence Bank on the property.

Mary Dion, 370 forest hills road, Vice-President of the Outer Belt Civic Association, spoke in favor of the petition.

Walter Gould, 1336 Allen Street, President of the Outer Belt Civic Association, spoke in favor of the petition. He stated that the association voted in favor of the project.

No one spoke in opposition.

Councilor Walsh spoke in favor of the petition.

Councilor Allen spoke in favor of the petition.

The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- Allen_St_SS_Tax_Formal (PDF)
- Allen_St_SS_(aka_1441)_2017 (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

22. Petition (ID # 4150)

To Amend an Existing Special Permit (Drive-Up Service Window), Granted August 2000, by Allowing a Change to the Petitioner, at the Property Known as 757 Boston Road (01655-0620), as Provided by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	Amish Parikh
By:	Amish Parikh
Petitioner:	Amish Parikh
By:	Amish Parikh

COMMENTS - Current Meeting:

Amish Parikh, the petitioner, spoke in favor of the petition.

No opposition. The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- Boston_Rd_757_Tax_Formal (PDF)
- Boston_Rd_757_2017 (PDF)

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

23. Petition (ID # 4153)

To Amend an Existing Special Permit (Drive-Up Service Window), Granted July 2000, by Allowing a Change to the Petitioner, at the Property Known as 1290 St James Avenue (11170-0180), as Provided by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	Amish Parikh
By:	Amish Parikh
Petitioner:	Amish Parikh
By:	Amish Parikh

COMMENTS - Current Meeting:

Amish Parikh, the petitioner, spoke in favor of the petition.

No opposition.

Councilor Fenton moved to add the following condition to the permit: "All signs on the premises shall reflect the 12am closing time." Seconded by Councilor Gomez. Unanimously approved.

The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

ATTACHMENTS:

- St_James_Ave_1290_Tax_Formal(PDF)
- St_James_Ave_1290_2017 (PDF)

RESULT: **APPROVED [11 TO 0]**

AYES: Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos

ABSENT: E. Henry Twiggs, Bud L. Williams

Zone Changes

Resolutions



City Council
36 Court Street
Springfield, MA 01103

COMPLETED

PETITION (ID # 4154)

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4154

For a Special Permit to Operate a Drive-Up Service Window at the Property Known as 1398 (A.K.A. 1402) Allen Street (00280-0419), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	McDonald's USA, LLC
By:	William J. Squires III, Esquire
Petitioner:	McDonald's USA, LLC
By:	William J. Squires III, Esquire

COMMENTS - Current Meeting:

Council Walsh moved, without objection, to take the item out of order.

City Solicitor Edward Pikula, explained that there is a new operator of this McDonald's and that all of the differences that led to the original denial have been resolved.

Attorney Tasheena Davis, representing the City, stated that the parties agreed to have the special permit be remanded to the city council.

President Ramos opened the public hearing.

Attorney Bill Squires, representing McDonald's, spoke in favor of the petition. He stated that the restaurant is under the new ownership of Michell George.

Mary Dion, 370 forest hills road, Vice-President of the Outer Belt Civic Association, spoke in favor of the petition.

No one spoke opposition.

The public hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

(1) The specific site an appropriate location for such a use, structure, or

condition.

- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT: **APPROVED [11 TO 0]**

AYES: Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton,
 Hurst, Ramos

ABSENT: E. Henry Twiggs, Bud L. Williams

MCDONALD’S USA, LLC’S REMAND ZONING PETITION

Petitioner/Owner: McDonald’s USA, LLC
 c/o William J. Squires, III
 Kelley A. Jordan-Price
 Hinckley, Allen & Snyder LLP
 28 State Street
 Boston, MA 02109
 (617) 345-9000
wsquire@hinckleyallen.com
kprice@hinckleyallen.com

Property Address: 1398 Allen Street (a.k.a. 1402 Allen Street)
 Springfield, MA

Parcel Number: 00280-0419

Zoning of Property: Business A

Date of Original Decision: January 23, 2017

Pursuant to a May 26, 2017 Order of Remand (the “Order of Remand”)¹ issued by the Land Court for the Commonwealth of Massachusetts in the case captioned McDonald’s USA, LLC v. The City Council for the City of Springfield, Misc. Case No. 17 MISC 000073 (RBF) (the “Land Court Action”), McDonald’s USA, LLC (“McDonald’s”) hereby submits this Remand Zoning Petition (the “Remand Petition”) in connection with its appeal from a January 23, 2017 decision rendered by the City Council for the City of Springfield (the “City Council”), denying McDonald’s request for a special permit (the “Special Permit Decision”) pursuant to Article

¹ A true and accurate copy of the Order of Remand is attached hereto as Exhibit A.

4, Table 4-4, Section 19.1(2) of the City of Springfield Zoning Ordinance (the “Zoning Ordinance”). The requested special permit would have allowed McDonald’s to construct and operate a new restaurant with a two-lane, side-by-side drive-up service window at the property it owns at 1398 Allen Street (a.k.a 1402 Allen Street), Springfield, Massachusetts (the “McDonald’s Property”). Through this Remand Petition, McDonald’s respectfully requests that the City Council issue the requested special permit as certain circumstances surrounding the denial of the requested special permit recently changed.

Factual and Procedural Background

McDonald’s is and has been at all times relevant hereto the owner of the McDonald’s Property. The McDonald’s Property is located in a Business A-General Business District under the Zoning Ordinance. For approximately forty (40) years, a fast food restaurant with a single-lane, drive-up service window has been in operation on the McDonald’s Property. McDonald’s intends to demolish the existing 5,812 square foot restaurant building and single-lane drive-up service window located on the McDonald’s Property and construct a new 4,587 square foot restaurant with a two-lane, side-by-side drive-up service window (the “Project”). The prior drive-up service window contained only one lane.

Article 4, Table 4-4, Section 19.1(2) of the Zoning Ordinance requires the issuance of a special permit for the operation of the new two-lane, side-by-side drive-up service window on the McDonald’s Property. In 2013, McDonald’s applied to the City Council for a special permit for the operation of a two-lane, side-by-side drive-up service window on the McDonald’s Property. On March 26, 2013, the City Council issued a decision granting McDonald’s the

requested special permit (the “2013 Special Permit Decision” or the “2013 Special Permit”).²

The special permit, however, lapsed because McDonald’s did not commence construction on the Project within two years of the City Council’s issuance of the 2013 Special Permit Decision. On or about August 25, 2016, McDonald’s filed a new application (the “2016 Special Permit Application”) with the City Council for a special permit to operate the two-lane, side-by-side drive-up service window pursuant to Article 4, Table 4-4, Section 19.1(2) of the Zoning Ordinance.³ The plans that McDonald’s filed with the 2016 Special Permit Application were identical in all material respects to the plans on which McDonald’s received the 2013 Special Permit.

In connection with McDonald’s application for a special permit, the Office of Planning & Economic Development for the City of Springfield submitted a memorandum entitled “Analysis for a Special Permit.”⁴ As the memorandum demonstrates, the Office of Planning & Economic Development recommended that the 2016 Special Permit Application be approved, with conditions. One of the conditions related to concerns raised by representatives of the Outerbelt Civic Association about the hours of operation for the drive-thru. With respect to the concerns raised, the Office of Planning & Economic Development stated that “staff would defer to the Outerbelt Civic Association to propose a condition on the hours at this location.”⁵ The public hearing on the 2016 Special Permit Application took place on Monday, January 23, 2017. By the time the public hearing took place, the Outerbelt Civic Association and McDonald’s had

² A true and accurate copy of the 2013 Special Permit Decision is attached hereto as Exhibit B.

³ A true and accurate copy of the 2016 Special Permit Application is attached hereto as Exhibit C.

⁴ A true and accurate copy of the 2016 Planning Staff Analysis for a Special Permit is attached hereto as Exhibit D.

⁵ See Exhibit D at p. 2.

agreed upon the following hours of operation as a proposed condition for the special permit that the McDonald's restaurant:

Lobby hours: Sunday-Thursday 5:00 a.m. – 11:00 p.m.; Friday and Saturday 5:00 a.m. – 1:00 a.m.;

Drive-thru hours: Sunday-Wednesday 5:00 a.m. – 11:00 p.m.; Thursday-Saturday 5:00 a.m. – 2:00 a.m.

At the time of the public hearing, the operator for the McDonald's Restaurant was Wes Powell. Mr. Powell attended the hearing and voiced opposition to the hours of operation that had been agreed upon by the Outerbelt Civic Association and McDonald's. At the conclusion of the public hearing, and after hearing Mr. Powell's opposition, the City Council voted to deny McDonald's 2016 Special Permit Application. McDonald's thereafter appealed the 2016 Special Permit Decision to Land Court.

While the Land Court Action was pending, and by letter dated April 10, 2017, Operator Wes Powell informed the City Council that he now supports the Project, including the reduced hours of operation for the drive-up service window that had been agreed upon by McDonald's and the Outerbelt Civic Association and, further, that if the City Council grants the requested special permit, he would comply with all recommended conditions, including the agreed-upon reduced hours of operation for the drive-up service window.⁶ Following the City Council's receipt of the letter from Wes Powell, the Parties filed a Joint Motion to Remand this case to the City Council for a further public hearing on the Project, noting in the Joint Motion to Remand

⁶ A true and accurate copy of Wes Powell's April 10, 2017 letter is attached hereto as Exhibit E. Pursuant to a request made by the Springfield City Solicitor, Mr. Powell signed an updated letter dated April 28, 2017, which includes as Attachment A the list of conditions pursuant to which Mr. Powell agreed to comply, including the reduced hours of operation.

that certain circumstances surrounding the denial of the requested special permit had recently changed.⁷

On June 12, 2017, Wes Powell sold his interest in the McDonald's restaurant to a new operator, George Michell. Mr. Michell has confirmed his support of the Project and his commitment to abide by the recommended conditions that would apply to a special permit for the Project, including, but not limited to, the reduced hours of operation for the drive-up service window agreed upon by McDonald's and the Outerbelt Civic Association, which commitment to the City Council he has memorialized through correspondence dated July 17, 2017.⁸ Mr. Michell also intends to attend the remand hearing to address any questions or concerns the City Council may have.

REQUEST FOR SPECIAL PERMIT

A remand hearing for this matter is being scheduled before the City Council for August 21, 2017, at 7:00 p.m. McDonald's respectfully requests that, at the remand hearing, the City Council vote to issue the requested special permit for a new two lane, side-by-side drive-up service window at the McDonald's Property pursuant to Article 4, Table 4-4, Section 19.1(2) of the Zoning Ordinance. In support of its request, McDonald's relies upon its Application; the plans and other materials submitted in connection with the Application and the January 23, 2017 City Council hearing with respect to the same; the correspondence from Wes Powell and George Michell; the instant Petition for Remand; and any further evidence to be presented during the public hearing. Such evidence will show, among other things, that: (1) The specific site is an

⁷A true and accurate copy of the Joint Motion to Remand is attached hereto as Exhibit F.

appropriate location for the use; (2) The use as developed will not adversely affect the neighborhood; and (3) Adequate and appropriate facilities will be provided for the operation of the proposed use.

Respectfully submitted,

MCDONALD'S USA, LLC

By its attorneys,



William J. Squires, III
BBO# 642371
Kelley A. Jordan-Price
BBO# 565964
Hinckley, Allen & Snyder LLP
28 State Street
Boston, MA 02109
(617) 345-9000
wsquires@hinckleyallen.com
kprice@hinckleyallen.com

Dated: July 20, 2017

Attachment: 7-20-17 Remand Petition (4154 : 1398 Allen Street)

⁸ See Exhibit G.

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**1398 ALLEN STREET (00280-0419)
DRIVE-UP SERVICE WINDOW**

General Information

Petitioner:	McDonald's USA, LLC
Request:	To operate a drive-up service window.
Proposed use of the property:	Fast food restaurant.
Parcel Size:	53,317 s.f.
Compatibility with current planning documents:	The Sixteen Acres Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Outerbelt Civic Association: 7-24-17
Tax Status:	SEE ATTACHED
Site Visit:	7-25-17
Hearing Date:	8-21-17

Staff Analysis

Neighborhood characteristics:

The property is located in the Sixteen Acres Neighborhood and is located in an area with a mix of commercial and residential uses.

- To the north is the Talmadge Elementary School zoned Residence A.
- To the south are vacant land and single-family homes zoned Residence A.
- To the east is a Wendy's zoned Business A.
- To the west is a gas station zoned Business A.

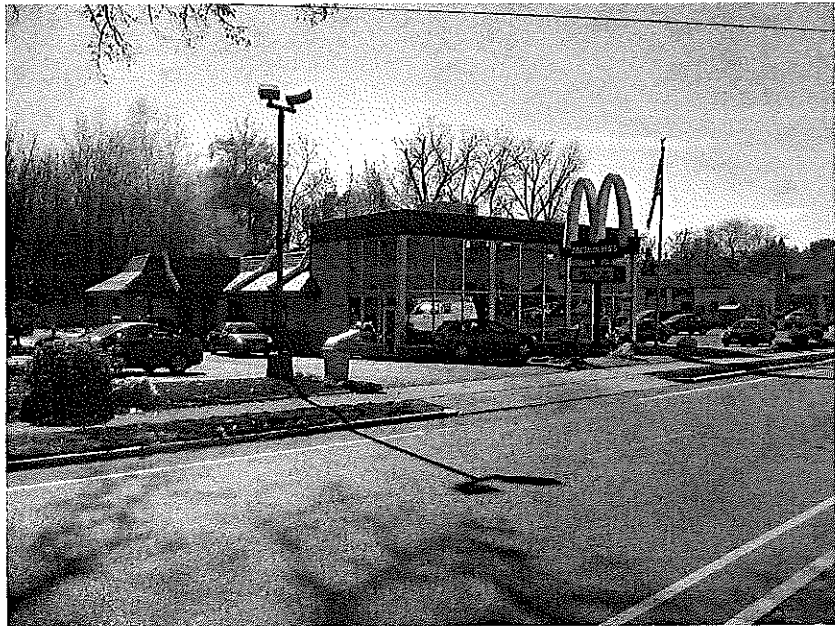
Site plan review:

This matter involves a pending lawsuit in Land Court that appealed a denial of the Special Permit. As a result of the Land Court proceedings, the matter has been remanded to the Special Permit Granting Authority (SPGA) for consideration of revised conditions. In addition, the City has received a signed agreement from the operator of the business to abide by the Recommended Conditions set forth below.

The petitioner has requested a special permit to operate a drive-up service window in conjunction with a McDonald's fast food restaurant at the property known as 1398 Allen Street. The petitioner intends to demolish the existing building and construct a new 4,587 square foot building. As the Council is aware, a special permit for the new building was approved back in 2013, however, two (2) years has elapsed since that

approval. As a result, the petitioner filed for a new special permit, which was heard by the City Council in January 2017. Due to a disagreement on the hours of operation, the special permit was not approved. The petitioner then filed an appeal and an "Order of Remand" was issued by the Land Court (see attached).

As was stated above, there is currently a McDonald's fast food restaurant with a drive-up service window at this location. This operation has been at this location for a number of years. Due to the fact that the proposal is to completely demolish the existing building a special permit from the City Council is required.



After reviewing the submitted site plans and visiting the site, the staff does not object to the proposed request. As noted in the previous review for this project, the only concern that the staff had was that the original design submitted for the new building showed the building set back from the street with parking and the drive-up lane located in the front of the building. After numerous discussions with the petitioner, the plans were modified so that the proposed new building footprint will remain in the same location and the proposed drive through lane in the front of the building would be removed. As revised, the direct pedestrian access to Allen Street remains. The staff is also very pleased that additional landscaping will be added along the Allen Street frontage as well as within the re-configured parking lot.

The outstanding issue regarding the hours of operation has been resolved. As currently agreed upon by the petitioner and the Outerbelt Civic Association, the hours of operation would be as follows:

- Lobby: Sunday-Thursday: 5:00AM to 11:PM; Friday and Saturday: 5:00AM to 1:00AM
- Drive-up Window: Sunday-Wednesday: 5:00AM to 11:00PM; Thursday-Saturday: 5:00AM to 2:00AM

Overall, the staff is very pleased that the petitioner has revised the proposed plans. The staff strongly believes that this plan allows for the improvements to the drive-up facility and the updating of the building while also still keeping the pedestrian integrity that exists at the site today.

Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely to operate a drive-up service window at the property known as 1398 Allen Street (00280-0419).
3. The use shall be developed as per the attached site plans and elevations, with a revised date of August 17, 2016, with the addition of conditions #4 through #18.

4. All landscaping shall be installed as per submitted plans.
5. There shall be no outside storage of materials beyond the enclosed dumpster area.
6. The petitioner shall place one (1) bicycle rack on the property.
7. There shall be only one (1) ground sign facing Allen Street at this location.
8. There shall be no electronic message board attached to the ground sign facing Allen Street.
9. There shall be no additional advertising material located on any directional signage or light poles.
10. The site shall be maintained free of all weeds, trash and debris.
11. All landscaped areas, including the public tree belt shall be maintained.
12. The dumpster(s) shall be completely enclosed.
13. All sidewalks shall remain at the existing grade and shall not be depressed to accommodate the driveways.
14. The public sidewalk along Allen Street shall be maintained, including snow removal.
15. There shall be no banner, streamers or other promotional materials placed in outside areas.
16. There shall be no non-accessory signs located on the property.
17. The hours of operation shall be as agreed upon by the petitioner and the Outerbelt Civic Association as follows:
 - Lobby Hours:** Sunday-Thursday 5:00AM to 11:00PM; Friday and Saturday: 5:00AM to 1:00AM.
 - Drive-thru Hours:** Sunday-Wednesday 5:00AM to 11:00PM; Thursday-Sunday 5:00AM to 2:00AM
18. A full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit or start of any paving work.
19. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

MCDONALD'S USA, LLC'S REMAND ZONING PETITION

Petitioner/Owner: McDonald's USA, LLC
 c/o William J. Squires, III
 Kelley A. Jordan-Price
 Hinckley, Allen & Snyder LLP
 28 State Street
 Boston, MA 02109
 (617) 345-9000
wsquire@hinckleyallen.com
kprice@hinckleyallen.com

Property Address: 1398 Allen Street (a.k.a. 1402 Allen Street)
 Springfield, MA

Parcel Number: 00280-0419

Zoning of Property: Business A

Date of Original Decision: January 23, 2017

Pursuant to a May 26, 2017 Order of Remand (the "Order of Remand")¹ issued by the Land Court for the Commonwealth of Massachusetts in the case captioned McDonald's USA, LLC v. The City Council for the City of Springfield, Misc. Case No. 17 MISC 000073 (RBF) (the "Land Court Action"), McDonald's USA, LLC ("McDonald's") hereby submits this Remand Zoning Petition (the "Remand Petition") in connection with its appeal from a January 23, 2017 decision rendered by the City Council for the City of Springfield (the "City Council"), denying McDonald's request for a special permit (the "Special Permit Decision") pursuant to Article

¹ A true and accurate copy of the Order of Remand is attached hereto as Exhibit A.

4, Table 4-4, Section 19.1(2) of the City of Springfield Zoning Ordinance (the “Zoning Ordinance”). The requested special permit would have allowed McDonald’s to construct and operate a new restaurant with a two-lane, side-by-side drive-up service window at the property it owns at 1398 Allen Street (a.k.a 1402 Allen Street), Springfield, Massachusetts (the “McDonald’s Property”). Through this Remand Petition, McDonald’s respectfully requests that the City Council issue the requested special permit as certain circumstances surrounding the denial of the requested special permit recently changed.

Factual and Procedural Background

McDonald’s is and has been at all times relevant hereto the owner of the McDonald’s Property. The McDonald’s Property is located in a Business A-General Business District under the Zoning Ordinance. For approximately forty (40) years, a fast food restaurant with a single-lane, drive-up service window has been in operation on the McDonald’s Property. McDonald’s intends to demolish the existing 5,812 square foot restaurant building and single-lane drive-up service window located on the McDonald’s Property and construct a new 4,587 square foot restaurant with a two-lane, side-by-side drive-up service window (the “Project”). The prior drive-up service window contained only one lane.

Article 4, Table 4-4, Section 19.1(2) of the Zoning Ordinance requires the issuance of a special permit for the operation of the new two-lane, side-by-side drive-up service window on the McDonald’s Property. In 2013, McDonald’s applied to the City Council for a special permit for the operation of a two-lane, side-by-side drive-up service window on the McDonald’s Property. On March 26, 2013, the City Council issued a decision granting McDonald’s the

requested special permit (the “2013 Special Permit Decision” or the “2013 Special Permit”).²

The special permit, however, lapsed because McDonald’s did not commence construction on the Project within two years of the City Council’s issuance of the 2013 Special Permit Decision. On or about August 25, 2016, McDonald’s filed a new application (the “2016 Special Permit Application”) with the City Council for a special permit to operate the two-lane, side-by-side drive-up service window pursuant to Article 4, Table 4-4, Section 19.1(2) of the Zoning Ordinance.³ The plans that McDonald’s filed with the 2016 Special Permit Application were identical in all material respects to the plans on which McDonald’s received the 2013 Special Permit.

In connection with McDonald’s application for a special permit, the Office of Planning & Economic Development for the City of Springfield submitted a memorandum entitled “Analysis for a Special Permit.”⁴ As the memorandum demonstrates, the Office of Planning & Economic Development recommended that the 2016 Special Permit Application be approved, with conditions. One of the conditions related to concerns raised by representatives of the Outerbelt Civic Association about the hours of operation for the drive-thru. With respect to the concerns raised, the Office of Planning & Economic Development stated that “staff would defer to the Outerbelt Civic Association to propose a condition on the hours at this location.”⁵ The public hearing on the 2016 Special Permit Application took place on Monday, January 23, 2017. By the time the public hearing took place, the Outerbelt Civic Association and McDonald’s had

² A true and accurate copy of the 2013 Special Permit Decision is attached hereto as Exhibit B.

³ A true and accurate copy of the 2016 Special Permit Application is attached hereto as Exhibit C.

⁴ A true and accurate copy of the 2016 Planning Staff Analysis for a Special Permit is attached hereto as Exhibit D.

⁵ See Exhibit D at p. 2.

agreed upon the following hours of operation as a proposed condition for the special permit that the McDonald's restaurant:

Lobby hours: Sunday-Thursday 5:00 a.m. – 11:00 p.m.; Friday and Saturday 5:00 a.m. – 1:00 a.m.;

Drive-thru hours: Sunday-Wednesday 5:00 a.m. – 11:00 p.m.; Thursday-Saturday 5:00 a.m. – 2:00 a.m.

At the time of the public hearing, the operator for the McDonald's Restaurant was Wes Powell. Mr. Powell attended the hearing and voiced opposition to the hours of operation that had been agreed upon by the Outerbelt Civic Association and McDonald's. At the conclusion of the public hearing, and after hearing Mr. Powell's opposition, the City Council voted to deny McDonald's 2016 Special Permit Application. McDonald's thereafter appealed the 2016 Special Permit Decision to Land Court.

While the Land Court Action was pending, and by letter dated April 10, 2017, Operator Wes Powell informed the City Council that he now supports the Project, including the reduced hours of operation for the drive-up service window that had been agreed upon by McDonald's and the Outerbelt Civic Association and, further, that if the City Council grants the requested special permit, he would comply with all recommended conditions, including the agreed-upon reduced hours of operation for the drive-up service window.⁶ Following the City Council's receipt of the letter from Wes Powell, the Parties filed a Joint Motion to Remand this case to the City Council for a further public hearing on the Project, noting in the Joint Motion to Remand

⁶ A true and accurate copy of Wes Powell's April 10, 2017 letter is attached hereto as Exhibit E. Pursuant to a request made by the Springfield City Solicitor, Mr. Powell signed an updated letter dated April 28, 2017, which includes as Attachment A the list of conditions pursuant to which Mr. Powell agreed to comply, including the reduced hours of operation.

that certain circumstances surrounding the denial of the requested special permit had recently changed.⁷

On June 12, 2017, Wes Powell sold his interest in the McDonald's restaurant to a new operator, George Michell. Mr. Michell has confirmed his support of the Project and his commitment to abide by the recommended conditions that would apply to a special permit for the Project, including, but not limited to, the reduced hours of operation for the drive-up service window agreed upon by McDonald's and the Outerbelt Civic Association, which commitment to the City Council he has memorialized through correspondence dated July 17, 2017.⁸ Mr. Michell also intends to attend the remand hearing to address any questions or concerns the City Council may have.

REQUEST FOR SPECIAL PERMIT

A remand hearing for this matter is being scheduled before the City Council for August 21, 2017, at 7:00 p.m. McDonald's respectfully requests that, at the remand hearing, the City Council vote to issue the requested special permit for a new two lane, side-by-side drive-up service window at the McDonald's Property pursuant to Article 4, Table 4-4, Section 19.1(2) of the Zoning Ordinance. In support of its request, McDonald's relies upon its Application; the plans and other materials submitted in connection with the Application and the January 23, 2017 City Council hearing with respect to the same; the correspondence from Wes Powell and George Michell; the instant Petition for Remand; and any further evidence to be presented during the public hearing. Such evidence will show, among other things, that: (1) The specific site is an

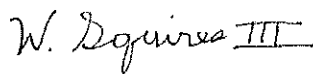
⁷A true and accurate copy of the Joint Motion to Remand is attached hereto as Exhibit F.

appropriate location for the use; (2) The use as developed will not adversely affect the neighborhood; and (3) Adequate and appropriate facilities will be provided for the operation of the proposed use.

Respectfully submitted,

MCDONALD'S USA, LLC

By its attorneys,



William J. Squires, III
BBO# 642371
Kelley A. Jordan-Price
BBO# 565964
Hinckley, Allen & Snyder LLP
28 State Street
Boston, MA 02109
(617) 345-9000
wsquires@hinckleyallen.com
kprice@hinckleyallen.com

Dated: July 20, 2017

⁸ See Exhibit G.

EXHIBIT

A

COMMONWEALTH OF MASSACHUSETTS

LAND COURT

DEPARTMENT OF THE TRIAL COURT

HAMPDEN, ss

MISCELLANEOUS CASE
NO. 17 MISC 000073 (RBF)

MCDONALD'S USA, LLC,

Plaintiff,

v.

THE CITY COUNCIL FOR THE CITY OF
 SPRINGFIELD, and MELVIN A. EDWARDS,
 TIMOTHY J. ROOKE, KATERI B. WALSH,
 THOMAS M. ASHE, KENNETH E. SHEA,
 JUSTIN HURST, ORLANDO RAMOS,
 TIMOTHY C. ALLEN, ADAM GOMEZ,
 MARCUS J. WILLIAMS, E. HENRY TWIGGS,
 MICHAEL A. FENTON, and BUD L.
 WILLIAMS, as they are Members of the CITY
 COUNCIL FOR THE CITY OF SPRINGFIELD,

Defendants.

ORDER OF REMAND

The court, upon consideration of the parties' Joint Motion for Order of Remand and Retention of Jurisdiction, filed May 22, 2017, hereby orders this case remanded to the City Council for the City of Springfield ("City Council") so that the plaintiff McDonald's USA, LLC ("McDonald's") may submit to the City Council a petition, in the form of a remand zoning petition, requesting a special use permit from the City Council to allow the use of the property owned and occupied by McDonald's at 1398 Allen Street (a.k.a. 1402 Allen Street), Springfield, Hampden County, Massachusetts (the "Property") as a McDonald's restaurant with a new two-

G.L. c. 40A, § 17. Any such appeal shall comply with the requirements of § 17, shall be filed as a Complaint after Remand, and shall be docketed as part of this action.

The parties shall jointly report to the court on the status of the Remand Petition no later than September 8, 2017.

SO ORDERED



By the Court (Foster, J.)

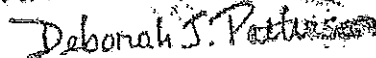
Attest:

Dated: May 26, 2017

Deborah J. Patterson, Recorder

A TRUE COPY

ATTEST:


RECORDER

Attachment: Allen_St_1398_Aug_2017_Revised_(1) (4154 : 1398 Allen Street)

EXHIBIT B

Wayman Lee, Esq.
City Clerk

City Clerk's Office
36 Court Street, Room 123
Springfield, MA 01103
Office: (413) 787-6095
Direct Dial: (413) 787-6589
Fax: (413) 787-6502
Email: wlee@springfieldcityhall.com



THE CITY OF SPRINGFIELD, MASSACHUSETTS

March 26, 2013

McDonald's Corporation
c/o Ayoub Engineering
By: C. Anthony Fruchtl, Project Manager
414 Benefit Street
Pawtucket, RI 02861

REVISED

Dear Mr. Fruchtl:

This is to certify that at a meeting held on Monday, February 25, 2013 it was voted by the City Council according to law to grant a special permit to Owner: McDonald's Corporation By: Rhona McFarlane and Petitioner: McDonald's Corporation c/o Ayoub Engineering, By: C. Anthony Fruchtl, Project Manager to operate a drive-up service window at the property known as 1398 Allen Street (00280-0419) as allowed by M.G.L. and the Springfield Zoning Ordinance Article XV, Section 1519 with the following conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely to operate a drive-up service window at the property known as 1398 Allen Street (00280-0419).
3. The use shall be developed as per the attached site plan, dated February 21, 2013, with the addition of conditions #4 through #18.
4. A detailed landscaping plan shall be submitted for review and approval to the Office of Planning & Economic Development prior to issuing a building permit.
5. All landscaping shall be installed as per submitted plans.
6. There shall be no outside storage of materials beyond the enclosed dumpster area.
7. The petitioner shall place one (1) bicycle rack on the property.
8. There shall be only one (1) ground sign at this location.
9. There shall be no electronic message board attached to the ground sign.
10. There shall be no "running messages" or "flashing messages" allowed on the ground sign.
11. There shall be no additional advertising material located on any directional signage or light poles.
12. The site shall be maintained free of all weeds and trash and debris.
13. All landscaped areas, including the public tree belt shall be maintained by the petitioner.
14. The dumpster shall be completely enclosed.
15. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
16. There shall be no banner, streamers or other promotional materials placed in outside areas.

Book 3558, Pg. 69

Attachment: Allen St 1398 Aug 2017 Revised (1) (4154 : 1398 Allen Street)

17. There shall be no non-accessory signs located on the property.
18. The hours of operation shall be from 5 am to 1 am but the drive-up window shall be opened 24 hours.
19. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

A copy of this decision and all plans referred to in the decision have been filed with the Planning Board and City Clerk.

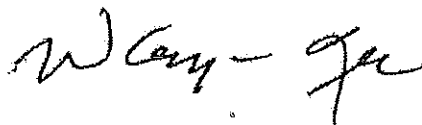
REASONS: (1) The specific site is an appropriate location for such a use, structure, or condition. (2) The use as developed will not adversely affect the neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use. (4.) To incorporate the Planning Staff Analysis into the decision at the basis of the findings.

In accordance with said Chapter 40A of the General Laws this permit shall not take effect until this notice is recorded by the owner or applicant of the land in the Registry of Deeds for the County in which such land is located.

I hereby certify that twenty (20) days have elapsed since this decision was filed and that no appeal has been filed in the City Clerk's Office of the City of Springfield, Massachusetts relative to the petition of Owner: McDonald's Corporation By: Rhona McFarlane and Petitioner: McDonald's Corporation c/o Ayoub Engineering, By: C. Anthony Frucht, Project Manager which was passed by the City Council on February 25, 2013.

WITNESS my hand and seal of the City of Springfield this twenty-sixth day of March 2013

Attest:



City Clerk

DONALD E. ASHE, REGISTER
HAMPDEN COUNTY REGISTRY OF DEEDS

Attachment: Allen St 1398 Aug 2017 Revised (1) (4154 : 1398 Allen Street)

EXHIBIT

C



Office of Planning & Economic Development
70 Tapley Street Springfield, MA 01104
Tel.: (413) 787-6020
Fax: (413) 787-6524
www.springfieldcityhall.com/planning

Application Packet

City Council Special Permit (Tier 3)

Preliminary Application Form	Section 1
List of Submittal Requirements	Section 2
City Council Conditions	Section 3
Relevant Details from Chapter 12 of the Zoning Ordinance	Section 4

Information about this review process

Number of copies to submit:

Submit one (1) full copy of application package.

Will I still need to apply for a Building Permit?

Yes. OPED will forward the decision to the building department.

Application Fee:

\$250.00 (check made out to the City of Springfield)

Who will Review the application:

The Office of Planning and Economic Development staff will review the application and make a recommendation to the City Council.

Duration of Approved Permit

2 years unless extended per 12.5.40

Who will make the decision about the application?

City Council will make a decision on the application after considering it at a public meeting.

Meeting with the Neighborhood Council?

Recommended

NOTE: Upon receiving this application, OPED staff will request a certificate of TAX COMPLIANCE from the City's Tax Collector's Office relating to the property owner's standing with the City. The application will not be processed without this certification. The applicant and property owner will be contacted by the City Collector's Office if a tax issue needs to be resolved. The tax review includes but is not limited to Real Estate Tax, Personnel Property Tax, Excise Tax, Water/Sewer Bills, and other City accounts.

PAYMENT OF FEES: Payment of all costs including advertising and abutter notifications must be paid in full to the City Clerk's Office prior to the public hearing and vote. All fees are **NON-REFUNDABLE** whatever the disposition of the matter, including withdraws.

City of Springfield

Office of Planning and Economic Development

SECTION 1: PRELIMINARY APPLICATION FORM

Please complete the form below and submit it to the Office of Planning & Economic Development (please print or type). Once the completed application is received, a formal petition will be typed up and will be required to be signed by the petitioner and property owner.

Office of Planning & Economic Development
70 Tapley Street Springfield, MA 01104

Petitioner/Owner Information	
Full Address of the Property Street number, City, State and zip code	Street <u>1402 Allen Street</u> City <u>Springfield</u> State <u>MA</u> Zip code <u>01118</u>
Parcel Number of the Property	<u>00080 - 0419</u>
Zoning of the Property	<u>Business A</u>
Current Use of Property	<u>McDonald's restaurant w/drive thru</u>
Proposed Use You may attach additional pages if needed to explain the proposal.	<u>Same</u>
Petitioner Information (If different from Owner) Name, mailing address, email address and telephone number (Include name of person who will be signing the formal application)	Name: <u>McDonald's</u> <u>o/p Ayub Engineering, Inc.</u> Street Address: <u>414 Benefit Street</u> City <u>Pawtucket</u> State <u>RI</u> Zip code <u>02861</u> Email <u>psylira@ayubengineering.com</u> Telephone/Mobile <u>401-728-5533</u>
Property Owner Information Name, mailing address, email address and telephone number (Include name of person who will be signing the formal application)	Name: <u>McDonald's USA LLC</u> Street Address: <u>32 Renee Ln</u> City <u>Enfield</u> State <u>CT</u> Zip code <u>06082</u> Email <u>Rhona.Murray@US.mcd.com</u> Telephone/Mobile <u>781-634-0262</u>
Dates Below To Be Filled Out By OPED Staff Only	
Date Received:	
Date of Completed Application:	

SECTION 2: LIST OF SUBMITTAL REQUIREMENTS

(See Section 4 for details)

- ☒ Site plan must be prepared by a qualified professional (including but not limited to a licensed architect, professional engineer, or landscape architect)
- ☐ Site Plan shall include all requirements as set forth in Section 12.3.40, including but not limited to:
 - ☒ Zoning districts, overlay districts, topography, wetlands, watercourses, soils, existing vegetation, roads, structures, driveways and other relevant site conditions;
 - ☒ Proposed driveways, parking areas, sidewalks, landscaping, utilities, lighting, drainage, vehicular circulation, refuse disposal storage areas, signs and building plans/elevations;
 - ☐ If the land will be developed in more than one (1) phase, the City Council may require the applicant to present a master plan for an entire property showing intended future development and a plan for phasing.
 - ☐ In the case of a special permit for a Bed & Breakfast (Article 4, Section 4.4.50) an interior site plan must also be submitted showing the location of each proposed room.
- ☐ An application shall not be considered complete until all information required by the City Council is submitted, as determined by the Office of Planning & Economic Development.

SECTION 3: CITY COUNCIL CONDITIONS

1. In granting a special permit the City Council may impose reasonable conditions, limitations and safeguards which shall be in writing and shall be part of such approval. Such conditions may include, but not be limited to:
 - ☐ Requiring larger front, side or rear yards than the minimum required by this Ordinance;
 - ☐ Requiring additional screening or off-street parking areas or other parts of the premises from adjoining premises or from the street, by walls, fences, plantings or other devices;

City of Springfield

Office of Planning and Economic Development

- o Modify the exterior features or appearance of the structure;
- o Limiting the size, number of occupants, method or time of operation, or extent of facilities;
- o Regulating the number, design and location of access drives or other traffic features.

SECTION 4: RELEVANT DETAILS FROM SECTION 12.4 OF THE ZONING ORDINANCE*

(*Please see Zoning Ordinance for complete details and process)

City Council Special Permit Review Process and Timeframe (12.4.30)

1. Application for a Special Permit shall be made to the Office of Planning and Economic Development on forms provided for that purpose, accompanied by the required fee of \$250.00. When the application has been received in a completed form as defined by the rules, a copy shall be forwarded to the City Clerk. The stamp of the City Clerk shall designate the date of filing.
2. The City Council shall hold a public hearing within sixty-five (65) days after the application has been stamped by the City Clerk as provided in M.G.L Chapter 40A. The Office of Planning and Economic Development may revise its reports in response to comments made at the public hearing within fourteen (14) days of the close of the public hearing. The City Council may act in the absence of a report from the Office of Planning and Economic Development if no report is submitted within fourteen (14) days of the close of the public hearing.
3. In all cases notice of public hearing shall be given by the City Clerk by publication in a newspaper of general circulation in the city once in each of two (2) successive weeks; the first publication to be not less than fourteen (14) days before the day of the hearing and by posting such notice in a conspicuous place in City Hall and Office of Planning and Economic Development for a period of not less than fourteen (14) days before the day of such hearing.
4. The City Council shall act within ninety (90) days following the public hearing. Special Permits shall require a two-thirds (2/3) vote of the entire membership of the City Council.

City of Springfield

Office of Planning and Economic Development

5. Failure to take final action upon an application for a Special Permit within said ninety (90) days shall be deemed a grant of the permit as provided in M.G.L. Chapter 40A, Section 9.
6. Upon the granting of a Special Permit under this section, a copy of the decision shall be issued to the owner or applicant if other than the owner, certified by the City Council. **(NO SPECIAL PERMIT WILL BE ISSUED UNTIL ALL REQUIRED FEES HAVE BEEN PAID)** The City Council shall make a detailed record of its proceedings, indicating the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and setting forth clearly the reason for its decision and of its official actions, copies of all of which shall be filed within fourteen days in the office of the City Clerk and the Office of Planning and Economic Development.
7. The City Council's decision shall be deemed a public record, and notice of the decision shall be mailed forthwith to the applicant, to the parties in interest designated in M.G.L. Chapter 40A, Section 11, and to every person present at the hearing who requested that notice be sent and stated the address to which such notice was to be sent. Each such notice shall specify that appeals, if any, shall be made pursuant to M.G.L. Chapter 40A, Section 17 and shall be filed within (20) days after the date of filing of such notice in the office of the city clerk. No Special Permit shall take effect until a copy of the decision is recorded in the Hampden County Registry of Deeds. In order for such recording to occur, the City Clerk must certify that twenty (20) days have elapsed and no appeal has been filed, or that if an appeal has been filed, that it has been dismissed or denied.

Attachment: Allen St 1398 Aug 2017 Revised (1) (4154 : 1398 Allen Street)

EXHIBIT D

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

1398 ALLEN STREET (00280-0419)
DRIVE-UP SERVICE WINDOW

General Information

Petitioner:	McDonald's USA, LLC
Request:	To operate a drive-up service window.
Proposed use of the property:	Fast food restaurant.
Parcel Size:	53,317 s.f.
Compatibility with current planning documents:	The Sixteen Acres Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Outerbelt Civic Association: 10-30-16
Tax Status:	SEE ATTACHED
Site Visit:	11-2-16
Hearing Date:	11-28-16

Staff Analysis

Neighborhood characteristics:

The property is located in the Sixteen Acres Neighborhood and is located in an area with a mix of commercial and residential uses.

To the north is the Talmadge Elementary School zoned Residence A.
To the south are vacant land and single-family homes zoned Residence A.
To the east is a Wendy's zoned Business A.
To the west is a gas station zoned Business A.

Site plan review:

The petitioner has requested a special permit to operate a drive-up service window in conjunction with a McDonald's fast food restaurant at the property known as 1398 Allen Street. The petitioner intends to demolish the existing building and construct a new 4,587 square foot building. It should be noted that a special permit for the new building was approved back in 2013, however, two (2) years has elapsed since that approval. As such, a new special permit is required.

As was stated above, there is currently a McDonald's fast food restaurant with a drive-up service window at this location. This operation has been at this location for a number of years. Due to the fact that the proposal is to completely demolish the existing building a special permit from the City Council is required.

After reviewing the submitted site plans and visiting the site, the staff does not object to the proposed request. As noted in the previous review for this project, the only concern that the staff had was that the original design submitted for the new building showed the building set back from the street with parking and the drive-up lane located in the front of the building. After numerous discussions with the petitioner, the plans were modified so that the proposed new building footprint will remain in the same location and the proposed drive through lane in the front of the building would be removed. As revised, the direct pedestrian access to Allen Street remains. The staff is also very pleased that additional landscaping will be added along the Allen Street frontage as well as within the re-configured parking lot.



The one outstanding issue that appears to have not been resolved at the time this report was completed is in regards to the hours of operation for this location. In speaking with the representative of the Outerbelt Civic Association, there have been a number of discussions with the petitioner about the hours of operation but no final consensus had yet been reached. As such, the staff would defer to the Outerbelt Civic Association to propose a condition on the hours at this location.

Overall, the staff is very pleased that the petitioner has revised the proposed plans. The staff strongly believes that this plan allows for the improvements to the drive-up facility and the updating of the building while also still keeping the pedestrian integrity that exists at the site today.

Resolved
@11/10/17
OBGA
meeting
PAS

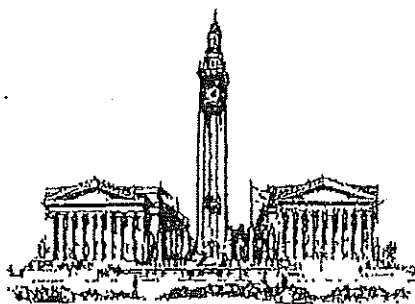
Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely to operate a drive-up service window at the property known as 1398 Allen Street (00280-0419).
3. The use shall be developed as per the attached site plans and elevations, with a revised date of August 17, 2016, with the addition of conditions #4 through #18.
4. All landscaping shall be installed as per submitted plans.
5. There shall be no outside storage of materials beyond the enclosed dumpster area.
6. The petitioner shall place one (1) bicycle rack on the property.
7. There shall be only one (1) ground sign at this location.
8. There shall be no electronic message board attached to the ground sign.
9. There shall be no additional advertising material located on any directional signage or light poles.

10. The site shall be maintained free of all weeds, trash and debris.
11. All landscaped areas, including the public tree belt shall be maintained.
12. The dumpster(s) shall be completely enclosed.
13. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
14. The public sidewalk along Allen Street shall be maintained, including snow removal.
15. There shall be no banner, streamers or other promotional materials placed in outside areas.
16. There shall be no non-accessory signs located on the property.
17. The hours of operation shall be as agreed upon between the petitioner and the Outerbelt Civic Association.
18. A full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit or start of any paving work.
19. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.



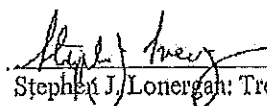
THE CITY OF
SPRINGFIELD, MASSACHUSETTS

10/17/2016

**Special Permit
Tax Certification**

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit : 1398-1402 Allen Street
Petitioner : McDonald's C/O Ayoub Engineering, Inc.
Landlord: McDonald's USA LLC

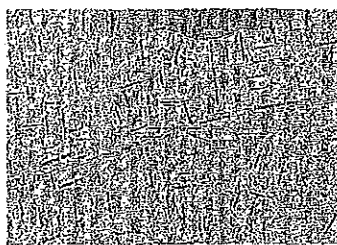

Stephen J. Lonergan: Treasurer/Collector

SITE IMPROVEMENT PLANS



REBUILD
1402 ALLEN STREET
SPRINGFIELD, MASSACHUSETTS

1. SITE IMPROVEMENT PLANS
2. SITE DEMOLITION PLAN
3. SITE GRADING PLAN
4. SITE UTILITY PLAN
5. SITE LANDSCAPE PLAN
6. EROSION & SEDIMENT CONTROL PLAN
7. LIGHTING PLAN
8. TURNING PLAN
9. PROPOSED SIGNAGE PLAN
10. SITE DETAIL SHEET
11. SITE DETAIL SHEET
12. SITE DETAIL SHEET
13. SITE DETAIL SHEET
14. SITE DETAIL SHEET
15. SITE DETAIL SHEET
16. SITE DETAIL SHEET
17. BUILDING FLOOR PLAN
18. BUILDING ELEVATIONS PLAN
19. BUILDING ELEVATIONS PLAN



INDEX OF DRAWINGS

DWG	TITLE
00	COVER
1	BOUNDARY & TOPOGRAPHIC SURVEY
D-1	SITE DEMOLITION PLAN
C-1	SITE IMPROVEMENT PLAN
C-2	SITE GRADING PLAN
C-3	SITE UTILITY PLAN
L-1	SITE LANDSCAPE PLAN
ER-1	EROSION & SEDIMENT CONTROL PLAN
ER-2	EROSION & SEDIMENT CONTROL NOTES
I	LIGHTING PLAN
TP-1	TURNING PLAN
SG-2	PROPOSED SIGNAGE PLAN
SD-1	SITE DETAIL SHEET
SD-2	SITE DETAIL SHEET
SD-3	SITE DETAIL SHEET
SD-4	SITE DETAIL SHEET
SD-5	SITE DETAIL SHEET
SD-6	SITE DETAIL SHEET
SD-7	SITE DETAIL SHEET
A10	BUILDING FLOOR PLAN
A20	BUILDING ELEVATIONS PLAN
A21	BUILDING ELEVATIONS PLAN

SITE IMPROVEMENT PLANS



REBUILD
1402 ALLEN STREET
SPRINGFIELD, MASSACHUSETTS

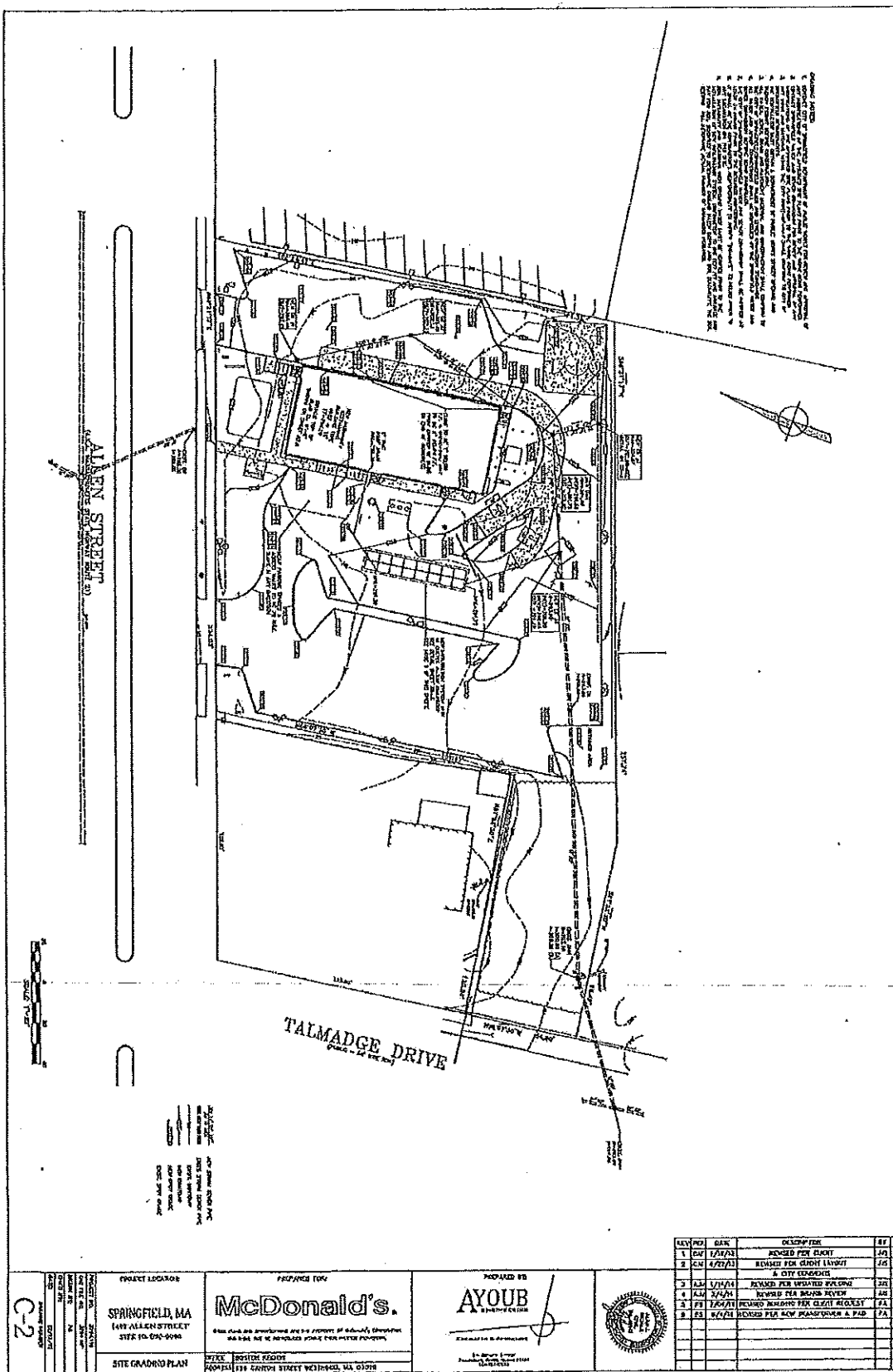
AYOUB
REGISTERED PROFESSIONAL ENGINEER
No. 12345
State of Massachusetts

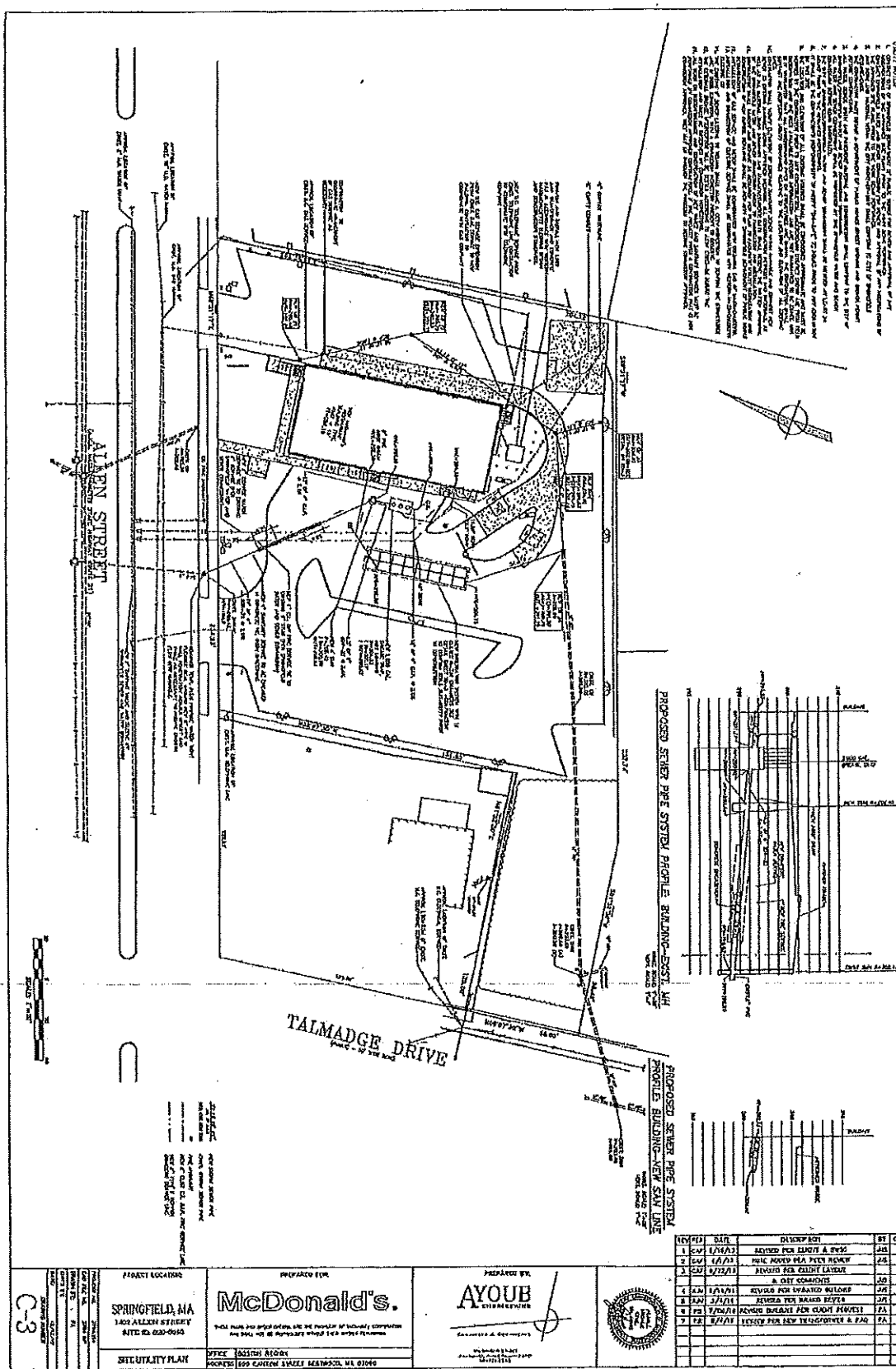
PROJECT NO. 3704116
DATE: 12/12/12
PLAN SET LAST REVISED: 08/17/16

00

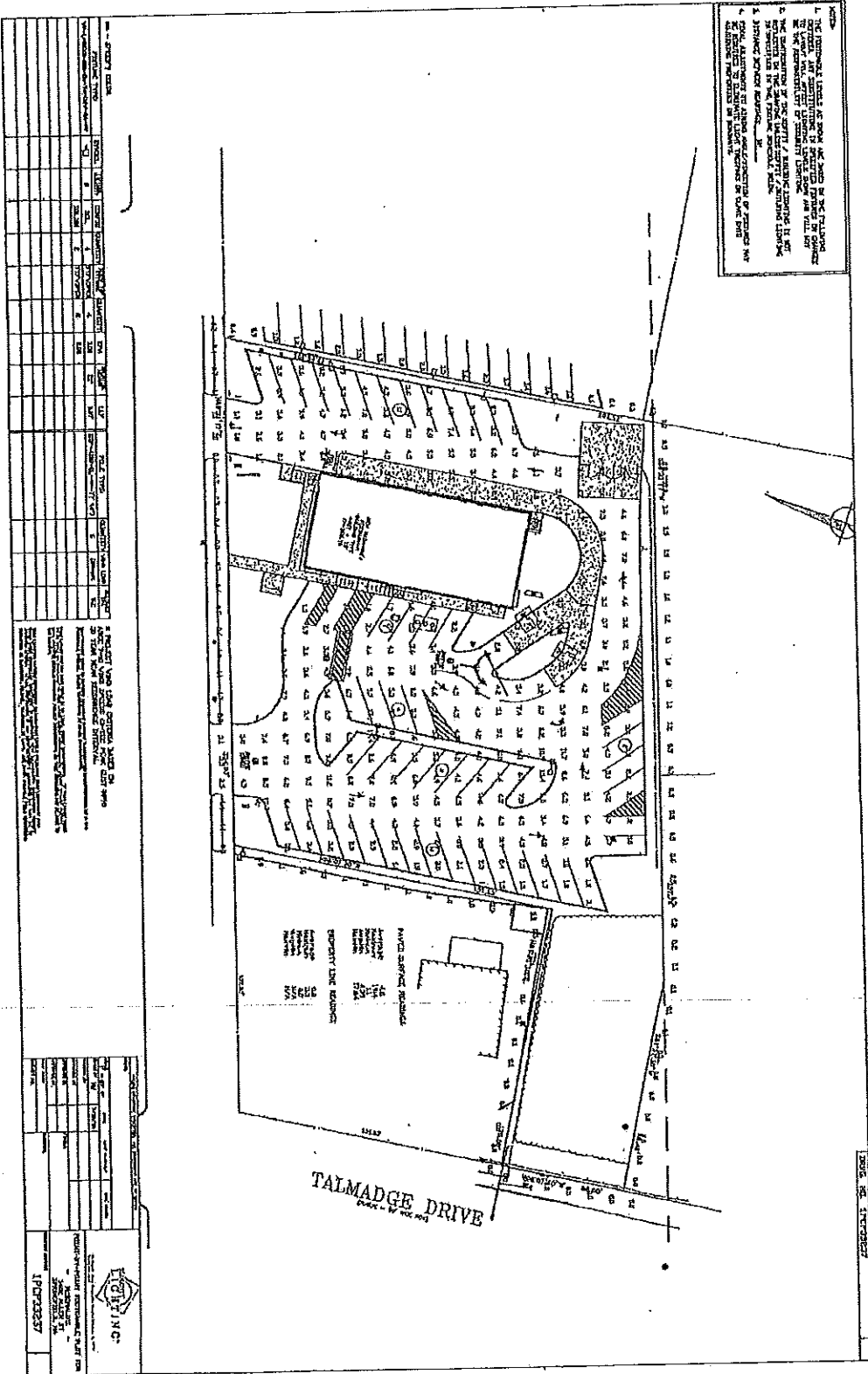
PERMIT SET

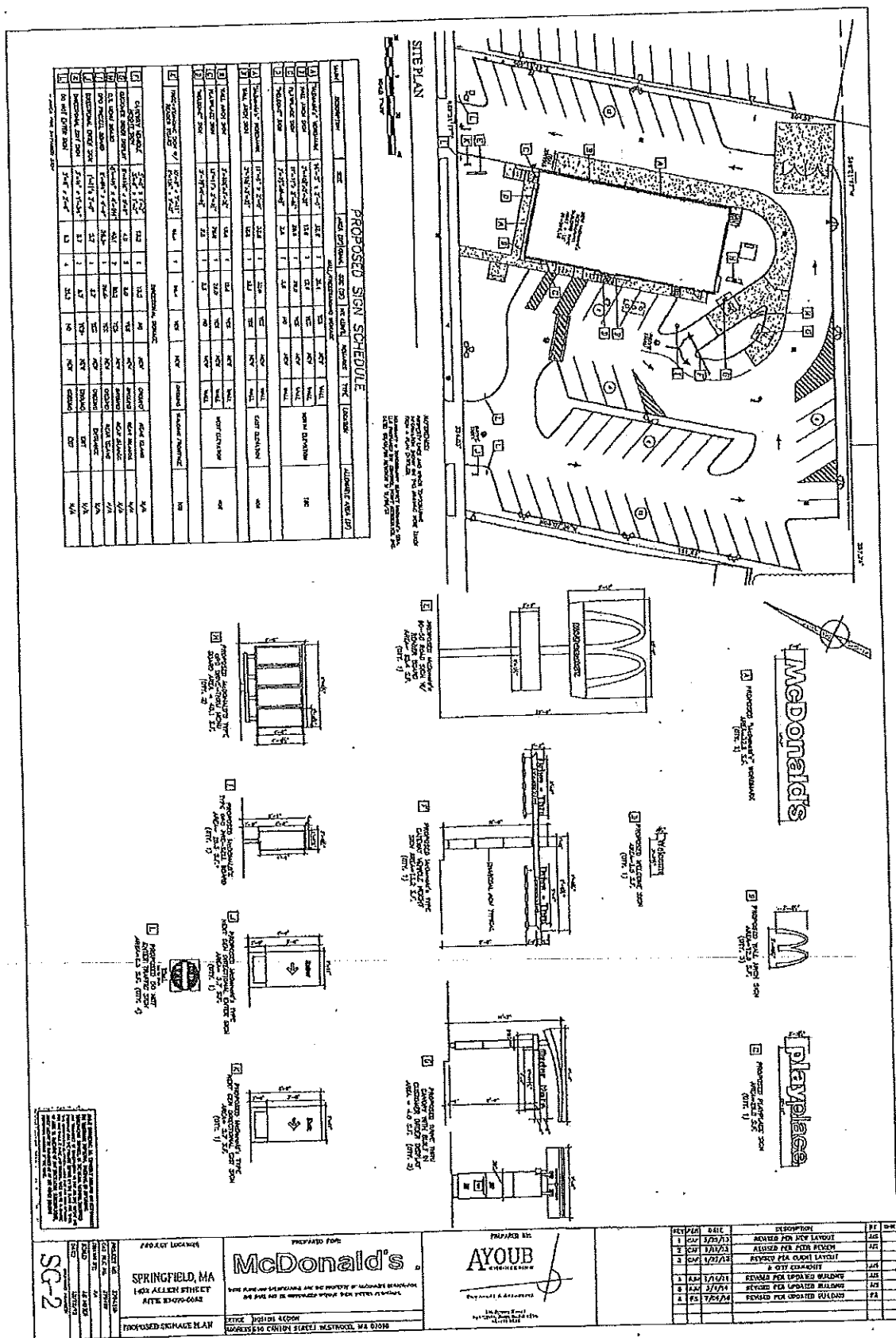








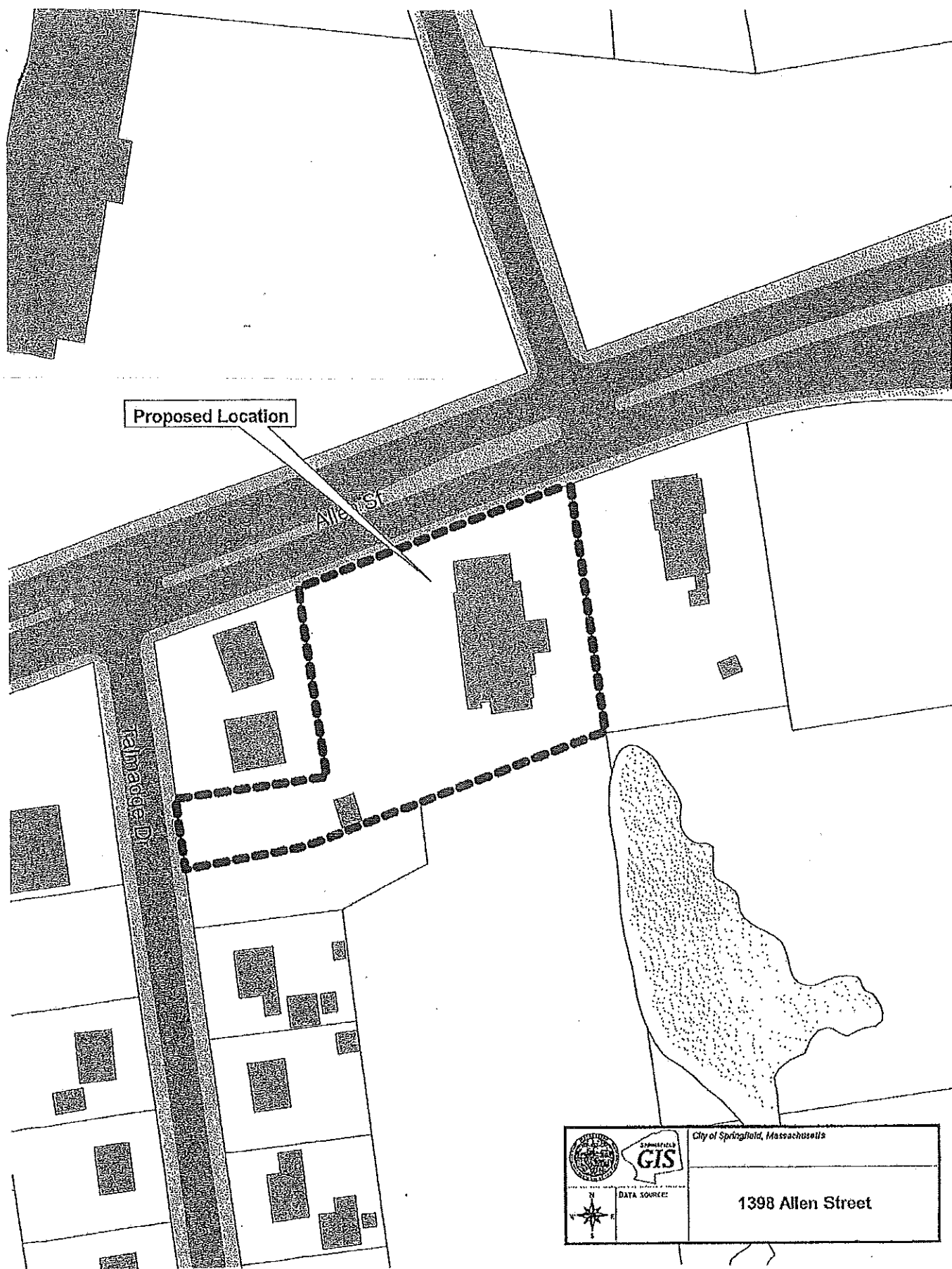




Packet Pg. 58







EXHIBIT

E

April 10, 2017

Orlando Ramos, President
The City Council for the City of Springfield
36 Court Street
Springfield, MA 01103

Re: McDonald's Restaurant, 1398-1402 Allen Street, Springfield MA – Letter in Support of Application for Special Permit by McDonald's USA, LLC to Operate a Drive-up Service Window

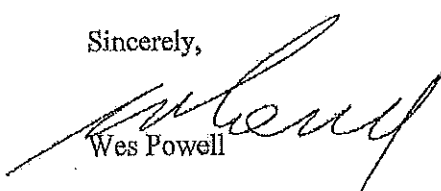
Dear Mr. Ramos:

I am the operator of the McDonald's Restaurant located at 1398-1402 Allen Street in Springfield (the "Property"). On January 23, 2017, the City Council voted to deny a petition (the "Petition") filed by the owner of the Property, McDonald's USA, LLC, for a special permit to operate a drive-up service window at the Property pursuant to Article 4, Table 4-4, Section 19.1(2) of the Springfield Zoning Ordinance. I attended the January 23, 2017 hearing and voiced my opposition to the Petition.

I write to inform the City Council that I now support the Petition, including the reduced hours of operation for the drive-up service window that have been agreed upon by the Petitioner and the Outerbelt Civic Association. If the City Council grants the requested special permit, I will comply with the 19 recommended conditions – including the reduced hours of operations for the drive-up service window – listed in the Memorandum issued by the Office of Planning & Economic Development, which recommended conditions are copied exactly as they appear in that Memorandum in Attachment A to this letter.

I ask that the City Council grants the requested special permit so that McDonald's USA, LLC and I can begin construction of the new McDonald's Restaurant as soon as possible.

Sincerely,


Wes Powell

cc: Edward M. Pikula, Esq., City Solicitor
Tasheena M. Davis, Esq., Associate City Solicitor
Anthony I. Wilson, Esq., City Clerk

RECEIVED

APR 25 2017

PROPERTY
MANAGEMENT

56726341 v3

Attachment: Allen_St_1398_Aug_2017_Revised_(1) (4154 : 1398 Allen Street)

ATTACHMENT A

RECOMMENDED CONDITIONS

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely to operate a drive-up service window at the property known as 1398 Allen Street (00280-0419).
3. The use shall be developed as per the attached site plans and elevations, with a revised date of August 17, 2016, with the addition of conditions #4 through #18.
4. All landscaping shall be installed as per submitted plans.
5. There shall be no outside storage of materials beyond the enclosed dumpster area.
6. The petitioner shall place one (1) bicycle rack on the property.
7. There shall be only one (1) ground sign at this location.
8. There shall be no electronic message board attached to the ground sign.
9. There shall be no additional advertising material located on any directional signage or light poles.
10. The site shall be maintained free of all weeds, trash and debris.
11. All landscaped areas, including the public tree belt shall be maintained.
12. The dumpster(s) shall be completely enclosed.
13. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
14. The public sidewalk along Allen Street shall be maintained, including snow removal.
15. There shall be no banner, streamers or other promotional materials placed in outside areas.
16. There shall be no non-accessory signs located on the property.
17. The hours of operation shall be as agreed upon between the petitioner and the Outerbelt Civic Association.
18. A full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit or start of any paving work.
19. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/ or Occupancy Permit, revocation of any permits issued and/ or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

EXHIBIT

F

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

LAND COURT DEPARTMENT
OF THE TRIAL COURT
DOCKET NO. 17MISC000073RBF

MCDONALD'S USA, LLC,

Plaintiff,

v.

THE CITY COUNCIL FOR THE
CITY OF SPRINGFIELD AND
MELVIN A. EDWARDS,
TIMOTHY J. ROOKE, KATERI B.
WALSH, THOMAS M. ASHE,
KENNETH E. SHEA, JUSTIN
HURST, ORLANDO RAMOS,
TIMOTHY C. ALLEN, ADAM
GOMEZ, MARCUS J.
WILLIAMS, E. HENRY TWIGGS,
MICHAEL A. FENTON and
BUD L. WILLIAMS, AS THEY
ARE MEMBERS OF THE CITY
COUNCIL FOR THE CITY OF
SPRINGFIELD,

Defendants.

JOINT MOTION FOR ORDER OF REMAND
AND RETENTION OF JURISDICTION

Plaintiff McDonald's USA, LLC ("McDonald's") and Defendants the City Council for the City of Springfield, together with Melvin A. Edwards, Timothy J. Rooke, Kateri B. Walsh, Thomas M. Ashe, Kenneth E. Shea, Justin Hurst, Orlando Ramos, Timothy C. Allen, Adam Gomez, Marcus J. Williams, E. Henry Twiggs, Michael A. Fenton and Bud L. Williams, in their capacities as Members of the City of Council for the City of Springfield (collectively, the "Defendants"), hereby jointly move that this Court remand this case to the City Council for the City of Springfield (the

Attachment: Allen_St_1398_Aug_2017_Revised_(1) (4154 : 1398 Allen Street)

“City Council”) for further proceedings and, in the event that litigation is sought after the conclusion of such further proceedings, that the Court retain jurisdiction over the case so that this action may be resumed before this Court with all rights, claims and defenses having been preserved. In further support of their Motion, the Parties jointly state as follows:

1. Through this action, McDonald’s appeals a decision rendered by the City Council denying McDonald’s a special use permit, pursuant to Article 4, Table 4-4, Section 19.1(2) of the Springfield Zoning Ordinance, for the operation of a new two lane, side-by-side drive-up service window at a McDonald’s restaurant located at 1398 Allen Street (a.k.a 1402 Allen Street), Springfield, Massachusetts (the “McDonald’s Property”) (the “2017 Decision”). For approximately forty (40) years, the McDonald’s Property has been operated as a fast food restaurant with a single-lane, drive-up service window. McDonald’s filed for a special use permit (the “McDonald’s Special Permit Application”) as it intends to demolish the existing 5,812 square foot restaurant building and single-lane drive-up service window and construct a new 4,587 square foot restaurant with a two-lane, side-by-side drive-up service window (the “Project”).

2. The Parties have agreed to jointly request a remand of this case to the City Council for a further public hearing on the Project as certain circumstances surrounding the denial of the requested special permit recently changed.

3. In addition to seeking a remand to the City Council, the Parties also jointly request that this Court retain jurisdiction over this matter pending the outcome of the public hearing should further litigation be pursued, so that this action may be resumed before this Court with all rights, claims and defenses having been preserved. In the event that the further proceedings before the City Council resolve the dispute and no appeal is taken from the same, the Parties will promptly notify the Court so that this case may be dismissed.

WHEREFORE, all Parties in this case respectfully and jointly request that this Court:

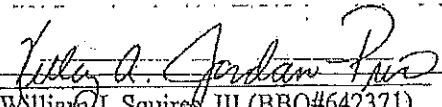
- a. Enter an Order remanding this matter to the City Council for the City of Springfield for further proceedings on McDonald's Special Permit Application; and
- b. Retain jurisdiction over this matter pending the outcome of the public hearing should further litigation be pursued, so that this action may be resumed before this Court with all rights, claims and defenses having been preserved.

McDonald's USA, LLC,

By their attorneys,

CITY COUNCIL FOR THE CITY OF
SPRINGFIELD and its INDIVIDUAL
MEMBERS,

By their attorneys,


William J. Squires, III (BBO#642371)

Kelley A. Jordan-Price (BBO#565964)

HINCKLEY, ALLEN & SNYDER LLP

28 State Street

Boston, MA 02109-1775

(617) 345-9000 (tel.)

(617) 345-9020 (fax)

kprice@hinckleyallen.com

wsquires@hinckleyallen.com


Edward M. Pikula (BBO#39970)

Tasheena M. Davis (BBO#695187)

City of Springfield, Law Department

36 Court Street, Room 210

Springfield, MA 01103

(413) 787-6085 (tel.)

(413) 787-6173 (fax)

epikula@springfieldcityhall.com

tdavis@springfieldcityhall.com

May 22, 2017

Exhibit

G

Attachment: Allen St 1398 Aug 2017 Revised (1) (4154 : 1398 Allen Street)

July 17, 2017

Orlando Ramos, President
The City Council for the City of Springfield
36 Court Street
Springfield, MA 01103

Re: McDonald's Restaurant, 1398-1402 Allen Street, Springfield MA – Letter in Support of Application for Special Permit by McDonald's USA, LLC to Operate a Drive-up Service Window

Dear Mr. Ramos:

I am the new operator of the McDonald's Restaurant located at 1398-1402 Allen Street in Springfield (the "Property"). I purchased Wes Powell's interest in the McDonald's Restaurant on June 12, 2017. I understand that on January 23, 2017, the City Council voted to deny a petition (the "Petition") filed by the owner of the Property, McDonald's USA, LLC ("McDonald's"), for a special permit to operate a drive-up service window at the Property pursuant to Article 4, Table 4-4, Section 19.1(2) of the Springfield Zoning Ordinance. I further understand that McDonald's appealed the City Council's decision to the Land Court for the Commonwealth of Massachusetts; that the matter has been remanded to the City Council; and that a remand hearing is being scheduled before the City Council on or after August 21, 2017.

I write to inform the City Council that I support the Petition, including the reduced hours of operation for the drive-up service window that have been agreed upon by McDonald's and the Outerbelt Civic Association. If the City Council grants the requested special permit, I will comply with the 19 recommended conditions – including the reduced hours of operation for the drive-up service window – listed in Attachment A to this letter.

I ask that the City Council grant the requested special permit so that McDonald's and I can begin construction of the new McDonald's Restaurant as soon as possible. I also will plan on attending the August 21, 2017 remand hearing and will be prepared to answer any questions the City Council may have. Thank you for your consideration of this letter.

Sincerely,

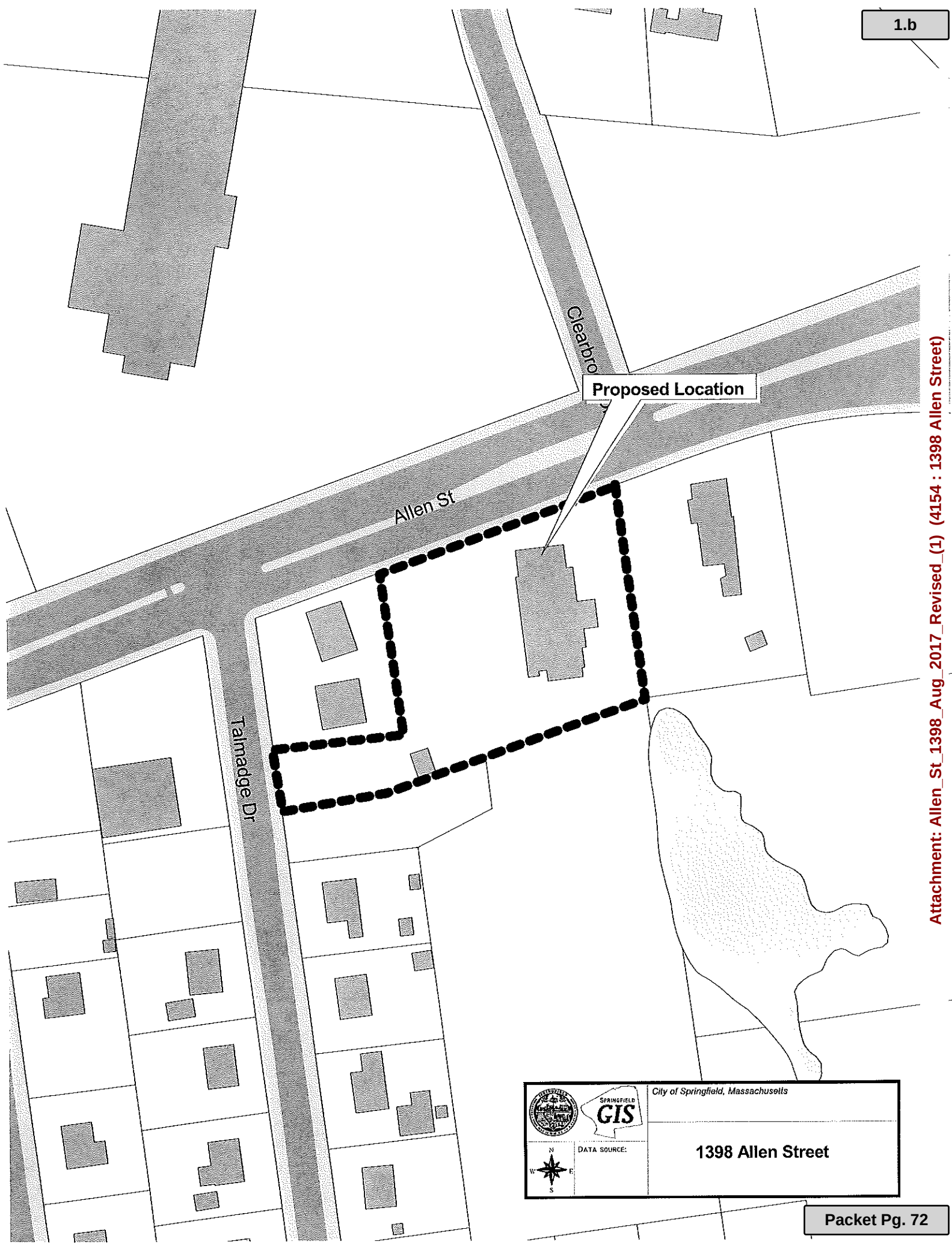
DocuSigned by:
George R. Michell
2085012C9582495...
George Michell

cc: Edward M. Pikula, Esq., City Solicitor
Tasheena M. Davis, Esq., Associate City Solicitor
Anthony I. Wilson, Esq., City Clerk

Attachment: Allen_St_1398_Aug_2017_Revised_(1) (4154 : 1398 Allen Street)

ATTACHMENT A**RECOMMENDED CONDITIONS**

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely to operate a drive-up service window at the property known as 1398 Allen Street (00280-0419).
3. The use shall be developed as per the attached site plans and elevations, with a revised date of August 17, 2016, with the addition of conditions #4 through #18.
4. All landscaping shall be installed as per submitted plans.
5. There shall be no outside storage of materials beyond the enclosed dumpster area.
6. The petitioner shall place one (1) bicycle rack on the property.
7. There shall be only one (1) ground sign facing Allen Street at this location.
8. There shall be no electronic message board attached to the ground sign facing Allen Street.
9. There shall be no additional advertising material located on any directional signage or light poles.
10. The site shall be maintained free of all weeds, trash and debris.
11. All landscaped areas, including the public tree belt shall be maintained.
12. The dumpster(s) shall be completely enclosed.
13. All sidewalks shall remain at the existing grade and shall not be depressed to accommodate the driveways.
14. The public sidewalk along Allen Street shall be maintained, including snow removal.
15. There shall be no banner, streamers or other promotional materials placed in outside areas.
16. There shall be no non-accessory signs located on the property.
17. The hours of operation shall be as agreed upon by the petitioner and the Outerbelt Civic Association as follows:
 - Lobby hours: Sunday-Thursday 5 a.m.-11 p.m.; Friday and Saturday 5 a.m.-1 a.m.
 - Drive-thru hours: Sunday-Wednesday 5 a.m.-11 p.m.; Thursday-Saturday 5 a.m.-2 a.m.
18. A full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit or start of any paving work.
19. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/ or Occupancy Permit, revocation of any permits issued and/ or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.



Attachment: Allen St 1398 Aug 2017 Revised (1) (4154 : 1398 Allen Street)

  	City of Springfield, Massachusetts
	1398 Allen Street



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: City Clerk
Category: General
Prepared By: Anthony I. Wilson
Initiator: Anthony I. Wilson
Gomez, Twigg, Hurst, Walsh, Edwards, Fenton, Ramos, Ashe, Allen, Rooke, Williams, Shea, Williams
DOC ID: 4185 A

ADOPTED

RESOLUTION (ID # 4185)

Charlottesville Resolve

CITY OF SPRINGFIELD

August 21, 2017

- WHEREAS,** All of America witnessed the act of domestic terrorism that unfolded in Charlottesville, VA on Saturday, August 12th, and
- WHEREAS,** 32 year old Heather Heyer was killed and over 30 people were injured while exercising their constitutional right to peaceful protest in opposition of racism and hate, and
- WHEREAS,** Virginia State Police Lieutenant H. Jay Cullen and Trooper Berke M.M. Bates were killed in the line of duty while assisting in efforts to monitor the rally, and
- WHEREAS,** The Springfield City Council denounces the KKK, neo-nazis and all other white supremacist groups, and
- WHEREAS,** Terrorism, foreign and domestic must be confronted with unflinching resolve, and
- WHEREAS,** The citizens of Springfield endeavor to be models of inclusiveness, compassion and community, and
- WHEREAS,** Springfield City Councilor Justin Hurst, an alumnus of the University of Virginia's Charlottesville campus was devastated by the recent events, and yet proud that the citizens of Charlottesville and the students of UVA stood fast in the face of terror,
- NOW, THEREFORE, BE IT RESOLVED** that the Springfield City Council stands in solidarity with the City of Charlottesville, America and the World in defiance of bigotry, hatred and terror.
- AND, BE IT FURTHER RESOLVED,** that a copy of this resolution be transmitted to Mayor Michael Signer, and the City Council of Charlottesville, Virginia.

Sponsored by City Councilor Justin Hurst and All City Councilors.

COMMENTS - Current Meeting:

Council Hurst moved, without objection, to take the item out of order.

Councilor Hurst spoke in favor of the passage of the resolution.

Councilor Gomez spoke in favor of the passage of the resolution.

Councilor Marcus Williams spoke in favor of the passage of the resolution.

Councilor Shea spoke in favor of the passage of the resolution.

Councilor Walsh spoke in favor of the passage of the resolution.

RESULT: PASSED BY VOICE VOTE



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: Street Line Relocation
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 3898

ADOPTED

PETITION (ID # 3898)

Petition MGM 10,278

PET. NO. 10,277

CITY OF SPRINGFIELD, MASSACHUSETTS

March 01, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of MGM Springfield and others, praying:

Widen the Bliss Street Public Right-of-way:

To widen the southerly side of the Bliss Street right-of-way by fifteen (15') feet to accommodate additional lanes of traffic.

Creation of the MGM Way Public Right-of-Way:

To create a new public right-of-way of fifty (50') feet wide and approximately two hundred (200') feet long to be established between State Street and Bliss Street connecting both streets.

Widen the Howard Street (east) Public Right-of-Way:

To widen the right-of-way of Howard Street when accessed from Main Street about 1,108 square feet to accommodate the proposed cul-de-sac at the terminus of previously established right-of-way.

Widen the Union Street Public Right-of-Way:

To widen the north side of the right-of-way of Union Street to accommodate additional lanes of traffic, from Main Street southerly to property boundary of land owned by Colves/Columbus Springfield LLC.

Reports thereon pursuant to Revised Ordinances of the City of Springfield, as follows:

The Board notified all known interested parties of its intent to view the premises and hold a hearing set for February 22, 2017 on the petition by mailing notices, postage prepaid, to their

respective addresses of record as well as posting notices in two (2) public places and publishing in a newspaper, all at least seven (7) days prior to said date.

Pursuant to said notices and all other statutory notice requirements the Board viewed the premises and held an open hearing on February 22, 2017 at 4:00 P.M., at the corner of Howard Street and East Columbus Avenue, Springfield, MA. Three (3) members of the Board, and four (4) persons interested in the matter were present. Four (4) of the latter voted in favor of the petition and no one (0) voted in opposition thereto.

After careful consideration of the above matter, the Board is of the opinion that common convenience and necessity required to widen southerly side of the Bliss Street right-of-way by fifteen (15') feet to accommodate additional lanes of traffic, to create a new public right-of-way of fifty (50') feet wide and approximately two hundred (200') feet long to be established between State Street and Bliss Street connecting both streets, to widen the right-of-way of Howard Street when accessed from Main Street about 1,108 square feet to accommodate the proposed cul-de-sac at the terminus of previously established right-of-way and to widen the north side of the right-of-way of Union Street to accommodate additional lanes of traffic, from Main Street southerly to property boundary of land owned by Colves/Columbus Springfield LLC. as set forth in the accompanying order and as shown on plan entitled,

SPRINGFIELD, MASS.

SPRINGFIELD REDEVELOPMENT AUTHORITY

MGM Way Taking (11,209± S.F.)

Bliss Street Taking (6,748± S.F.)

PREPARED FOR

THE BOARD OF PUBLIC WORKS

DATE: 06/07/2016

SCALE: 1" = 30'

SPRINGFIELD, MASS.

DEPARTMENT OF PUBLIC WORKS

Howard Street Taking (1,108± S.F.)

Union Street Taking (8,146± S.F.)

PREPARED FOR

THE BOARD OF PUBLIC WORKS

DATE: 06/07/2016

SCALE: 1" = 30

Consisting of two (2) sheets, which plan is incorporated herein by reference and is on file in the office of the Engineering Division of the Department of Public Works, Springfield, Massachusetts and which is to be recorded in the Hampden County Registry of Deeds.

The Board is further of the opinion that no damages be sustained by any person, firm, or corporation in their property by reason of the proposed new Right-of-Way of MGM Way, Bliss Street, Howard Street and Union Street.

_____))
 _____)) BOARD OF PUBLIC WORKS
 _____))

CITY OF SPRINGFIELD, MASSACHUSETTS

In City Council, March 20, 2017

ORDERED, that it being necessary for common convenience and necessity that the southeasterly street line of the public way known as Bliss Street be widened to accommodate additional lanes of traffic and the creation of a new public right-of-way of fifty (50') feet wide and approximately two hundred (200') feet for the purpose of connecting State Street and Bliss Street as shown on a plan entitled,

SPRINGFIELD, MASS.
DEPARTMENT OF PUBLIC WORKS
MGM Way Taking (11,209± S.F.)
Bliss Street Taking (6,748± S.F.)
PREPARED FOR
THE BOARD OF PUBLIC WORKS
DATE: 06/07/2016 SCALE: 1" = 30'

Consisting of one (1) sheet, which plan is incorporated herein by reference and is now on file in the office of the Engineering Division of the Department of Public Works, Springfield, Massachusetts;

LEGAL DESCRIPTION LOT B-1

A certain parcel of land situated on the Southeasterly side of Bliss Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Southerly most point of the lot to be described hereafter; thence

N49°13'21"W Sixty-four and ninety-three hundredths feet (64.93') to a point; thence

N42°13'39"E Four hundred thirty-four and thirty-one hundredths feet (434.31') to a point; thence

S48°10'00"E Fifteen and no hundredths feet (15.00') to a point; thence

S42°26'00"W Three hundred eight-two and sixty-one hundredths feet (382.61') to a point of curvature; thence

Southeasterly Along an arc to the left having a radius of fifty and no hundredths feet (50.00'), an arc length of seventy-nine and ninety-eight hundredths feet (79.98'), a chord length of seventy-one and seventy-two hundredths feet (71.72') and a chord bearing of S03°23'40"E to the point of beginning.

The above described parcel contains an area of area of 6,748 square feet (0.15 acres), more or less, and is more particularly shown as "Lot B-1" on a plan entitled "Taking for MGM Way & Widening of Bliss Street - Springfield, MA - Department of Public Works - MGM Way Taking

(11,209± S.F.) - Bliss Street Taking (6,748± S.F.) - Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

LEGAL DESCRIPTION MGM WAY

A certain parcel of land situated on the Southeasterly side of State Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Northwesterly most point of the lot to be described hereafter; thence

Southeasterly	Along an arc to the left having a radius of twenty and no hundredths feet (20.00'), an arc length of thirty-one and fifty-five hundredths feet (31.55'), a chord length of twenty-eight and thirty-eight hundredths feet (28.38') and a chord bearing of S02°58'23"E to a point of tangency; thence
S48°10'00"E	Two hundred and seventy-five hundredths feet (200.75') to a point; thence
S42°32'30"W	Fifty and no hundredths feet (50.00') to a point; thence
N48°10'00"W	Two hundred and seventy-four hundredths feet (200.74') to a point of curvature; thence
Southwesterly (20.00'), an arc	Along an arc to the left having a radius of twenty and no hundredths feet (20.00'), an arc length of thirty-one and twenty-eight hundredths feet (31.28'), a chord length of twenty-eight and nineteen hundredths feet (28.19') and a chord bearing of S87°01'37"W to a point of non-tangency; thence
N42°13'15"E	Ninety and no hundredths feet (90.00') to the point of beginning.

The above described parcel contains an area of area of 11,209 square feet (0.26 acres), more or less, and is more particularly shown as "Proposed 50' Right of Way 'MGM Way' " on a plan entitled "Taking for MGM Way & Widening of Bliss Street - Springfield, MA - Department of Public Works - MGM Way Taking (11,209± S.F.) - Bliss Street Taking (6,748± S.F.) - Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp redevelopment, LLC. Prepared by Allen & Major Associates, Inc.

CITY OF SPRINGFIELD, MASSACHUSETTS

In City Council, March 20, 2017

ORDERED, that it being necessary for common convenience and necessity that the widened of the right-of-way of Howard Street to accommodate the proposed cul-de-sac at the terminus and widened the north side of the right-of-way of Union Street to accommodate additional lanes of traffic as shown on a plan entitled,

SPRINGFIELD, MASS.**DEPARTMENT OF PUBLIC WORKS****Howard Street Taking (1,108± S.F.)****Union Street Taking (8,146± S.F.)****PREPARED FOR****THE BOARD OF PUBLIC WORKS****DATE: 06/07/2016****SCALE: 1" = 30'**

Consisting of one (1) sheet, which plan is incorporated herein by reference and is now on file in the office of the Engineering Division of the Department of Public Works, Springfield, Massachusetts;

LEGAL DESCRIPTION LOT H-1

A certain parcel of land situated on the Southwesterly side of Howard Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Northerly most point of the lot to be described hereafter; thence

- S43°10'27"W Seventy-eight and twenty-eight hundredths feet (78.28') to a point of non-tangent curvature; thence
- Northwesterly Along an arc to the right having a radius of thirty-six and no hundredths feet (36.00'), an arc length of seventy-six and twenty-three hundredths feet (76.23'), a chord length of sixty-two and seventy-six hundredths feet (62.76') and a chord bearing of N35°48'48"E to a point of reverse curvature; thence
- Northeasterly Along an arc to the left having a radius of twenty and no hundredths feet (20.00'), an arc length of eighteen and sixty hundredths feet (18.60'), a chord length of seventeen and ninety-four hundredths feet (17.94') and a chord bearing of N69°49'13"E to the point of beginning.

The above described parcel contains an area of area of 1,108 square feet (0.03 acres), more or less, and is more particularly shown as "Lot H-1" on a plan entitled "Widening of Howard Street & Union Street - Springfield, MA - Department of Public Works - Howard Street Taking (1,108± S.F.) - Union Street Taking (8,146± S.F.) - Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

LEGAL DESCRIPTION LOT U-1

A certain parcel of land situated on the Southwesterly side of Union Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Northerly most point of the lot to be described hereafter; thence

- S44°10'53"E Ten and eighty-one hundredths feet (10.81') to a point; thence
- S42°37'17"W Seven hundred thirty-one and nineteen hundredths feet (731.19') to a point; thence
- N27°09'19"E Thirty-four and no hundredths feet (34.00') to a point of curvature; thence
- Northeasterly Along an arc to the right having a radius of two hundred fifty and no hundredths feet (250.00'), an arc length of sixty-seven and forty-nine hundredths feet (67.49'), a chord length of sixty-seven and twenty-nine hundredths feet (67.29') and a chord bearing of N34°53'22"E to a point of tangency; thence

N42°37'25"E One hundred fifteen and no hundredths feet (115.00') to a point of curvature; thence

N46°19'02"E One hundred fifty-five and no hundredths feet (155.00') to a point; thence

N42°41'58"E Three hundred forty-eight and no hundredths feet (348.00') to a point; thence

N30°31'25"E Fifteen and no hundredths feet (15.00') to the point of beginning.

The above described parcel contains an area of area of 8,146 square feet (0.19 acres), more or less, and is more particularly shown as "Lot U-1" on a plan entitled "Widening of Howard Street & Union Street - Springfield, MA - Department of Public Works - Howard Street Taking (1,108± S.F.) - Union Street Taking (8,146± S.F.) - Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

That appropriate street monuments shall be placed upon the lines above described at terminal points;

that no damages be awarded, inasmuch as no damages will be sustained by any person, firm or corporation in their property by reason of the proposed new Right-of-Way of MGM Way, Bliss Street, Howard Street and Union Street.

that no assessments be levied;

that within thirty (30) days after the adoption of this order, the City Clerk is directed to give notice in compliance with Chapter 79 of the Massachusetts General Laws;

that within thirty (30) days after the adoption of this order, the City Clerk is hereby ordered to certify, and record a copy hereof, together with the aforementioned plan, in the Hampden County Registry of Deeds.

HISTORY:

03/20/17 City Council REFER TO COMMITTEE

Tim Williams, Allen and Major Associates, appeared to represent the petitioner.

Councilor Fenton referred the item to the City Council's Casino Oversight committee. Seconded by councilor Bud Williams. Passed unanimously by voice vote.

04/24/17 Casino Oversight Committee

05/15/17 City Council REFER TO COMMITTEE

Next: 07/17/17

Motion to committee by Councilor Fenton, seconded by Councilor Gomez.

Referred to the Casino Oversight committee.

07/17/17 City Council**CONTINUE****Next: 08/21/17**

At the request of the City Solicitor Edward Pikula this item was continued to the August hearings meeting.

COMMENTS - Current Meeting:

Chris Cignoli, Director of DPW, spoke in favor of the petition.

Councilor Fenton spoke in favor of the petition.

RESULT: RECEIVED PASSED


**ALLEN & MAJOR
ASSOCIATES, INC.**

100 Commerce Way
P.O. Box 2118
Woburn, MA 01888-0118
Tel: (781) 935-6889
Fax: (781) 935-2896

August 10, 2016

Michael Fenton, President
City Council
City of Springfield City Council
36 Court Street, Room 200
Springfield, MA 01103

Re: A&M Project #1839-02D
MGM Springfield
Springfield, Massachusetts
Request for Street Modifications

Dear Councilor Fenton:

This request is for the modifications of the adjacent streets to support the MGM Springfield project. The narrative below outlines the land transfer from Blue Tarp ReDevelopment LLC to the City of Springfield as reflected on the following plans:

- “Taking for MGM Way & Widening of Bliss Street” Sheet M/B-1, dated June 7, 2016, prepared by Allen & Major Associates, Inc.
- “Widening of Howard Street & Union Street” Sheet H/U-1, dated June 7, 2016, prepared by Allen & Major Associates, Inc.

The creation of MGM Way and the alterations to Howard Street, Bliss Street and Union Street are described below.

WIDEN THE BLISS STREET PUBLIC RIGHT-OF-WAY:

Bliss Street is proposed be widened by 15-feet to accommodate additional lanes of traffic. As well the right-of-way alteration includes a 50-foot radius along the southern edge at the curb cut to East Columbus Boulevard to facilitate right turn movements onto Bliss Street.

CREATION OF THE MGM WAY PUBLIC RIGHT-OF-WAY:

A 50-Foot public Right-of-Way is to be established between State Street and Bliss Street connecting both streets.

WIDEN THE HOWARD STREET (EAST) PUBLIC RIGHT-OF-WAY:

Howard Street (East) is proposed be widened by 1,108 square feet to accommodate the proposed cul-de-sac at the terminus of the previously established right-of-way.

WIDEN THE UNION STREET PUBLIC RIGHT-OF-WAY:

Attachment: RIGHT OF WAY EXTENSION MGM (3898 : Petition MGM 10,277)

A&M Project #1839-02D

August 10, 2016

Union Street is proposed be widened along the northern right-of-way to accommodate additional lanes of traffic. The widening of various widths will be from Main Street south toward East Columbus Boulevard terminating at the property boundary of land currently owned by Colvest/Columbus Springfield LLC (Bk. 17031/Pg. 517).

We appreciate you cooperation on this project, if you have any questions or comments please do not hesitate to contact our office.

Very truly yours,

ALLEN & MAJOR ASSOCIATES, INC.

Timothy J. Williams, PE
Principal

cc: Blue Tarp Redevelopment, LLC
Bulkley, Richardson and Gelinas, LLP
Springfield Department of Public Works

A true copy of a petition referred to the Board of Public Works on:

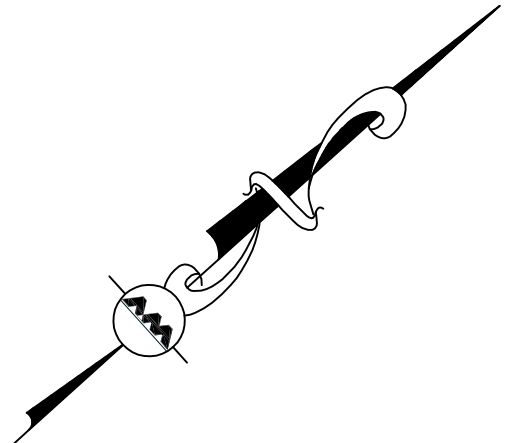
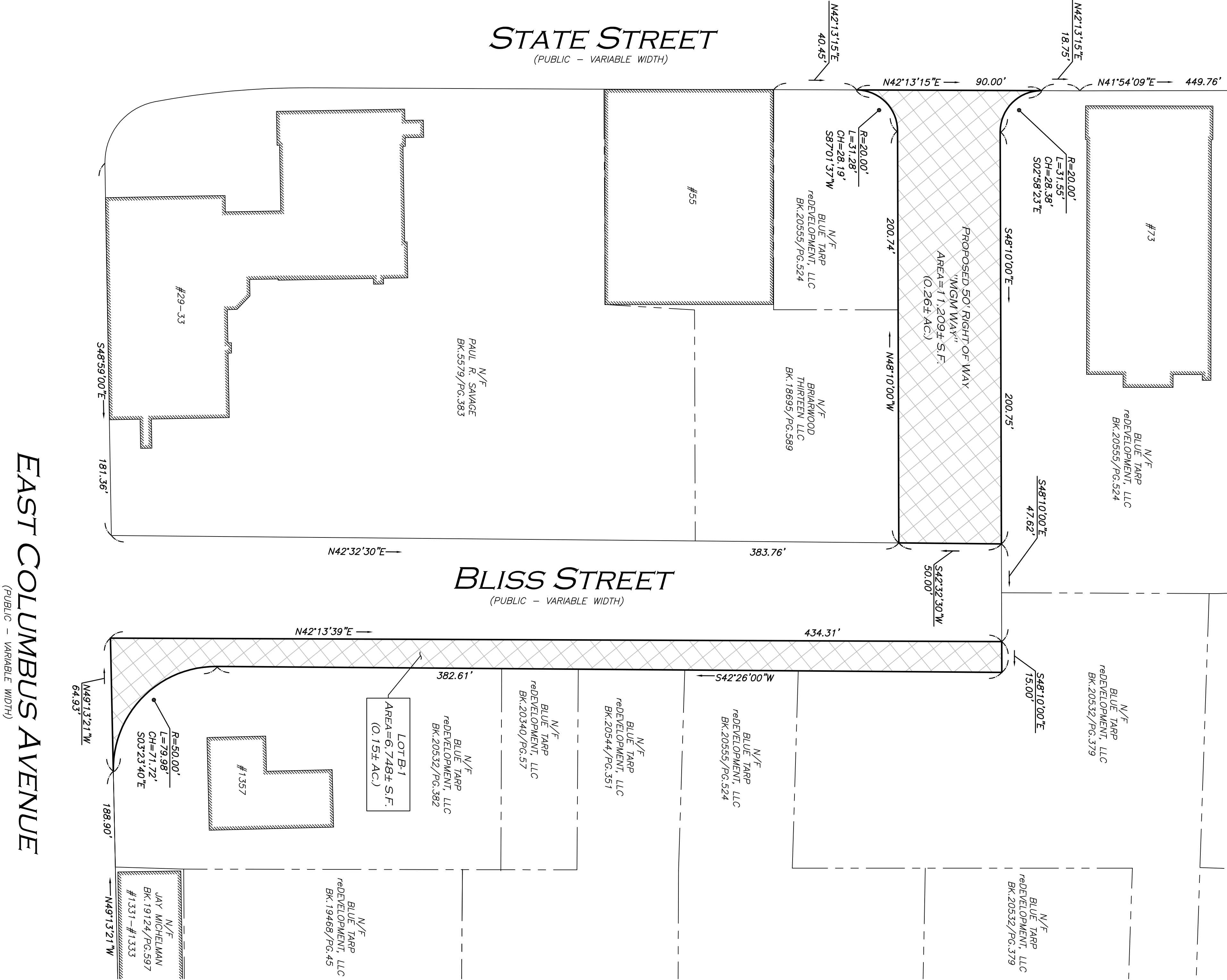
January 19, 2017

Attest:

City Clerk



Attachment: RIGHT OF WAY EXTENSION MGM (3898 : Petition MGM 10,277)



FOR REGISTRY USE ONLY

ISSUED FOR REVIEW
JUNE 7, 2018

PROFESSIONAL LAND SURVEYOR FOR
ALLEN & MAJOR ASSOCIATES, INC.

WE HEREBY CERTIFY THAT:
THIS PLAN IS THE RESULT OF AN ACTUAL SURVEY CONDUCTED AND PERFORMED ON OR BETWEEN AUGUST 30, 2012 AND JANUARY 6, 2016.
THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS DATED JANUARY 1, 1976 AND REVISED JANUARY 12, 1988.
OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT CITY OF SPRINGFIELD ASSESSOR'S INFORMATION.
THE MAP IS CERTIFIED AS THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.

ALLEN & MAJOR ASSOCIATES, INC.

BLUE TARP REDEVELOPMENT, LLC
1441 MAIN STREET
SPRINGFIELD, MA 01103

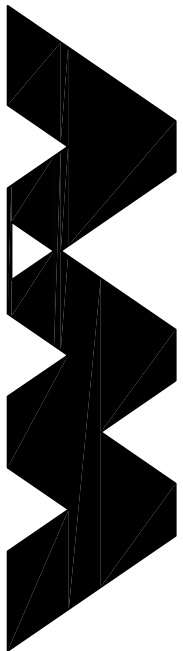
PROJECT: SPRINGFIELD, MA
DEPARTMENT OF PUBLIC WORKS
MGM WAY

TAKING (11,209± S.F.)
BLISS STREET
TAKING (6,748± S.F.)
PREPARED FOR

THE BOARD OF PUBLIC WORKS

PROJECT NO.	1839-02A	DATE:	06/07/16
SCALE:	1" = 30'	DWG. NAME:	STR030A000A.MXD
DRAFTED BY:	COB	CHECKED BY:	KIK

PREPARED BY:



ALLEN & MAJOR ASSOCIATES, INC.

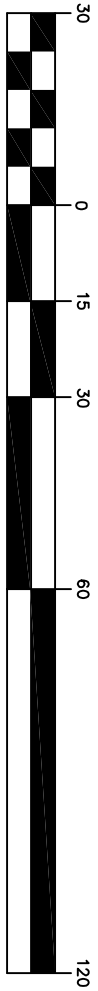
civil & structural engineering • land surveying
environmental consulting • landscape architecture
100 CONMERCE WAY
P.O. BOX 2118
WORTHEN MA 01888-0118

TEL: (781) 925-6889
FAX: (781) 925-2980

WORTHEN, MA • LANSINGVILLE, MA • MANCHESTER, NH

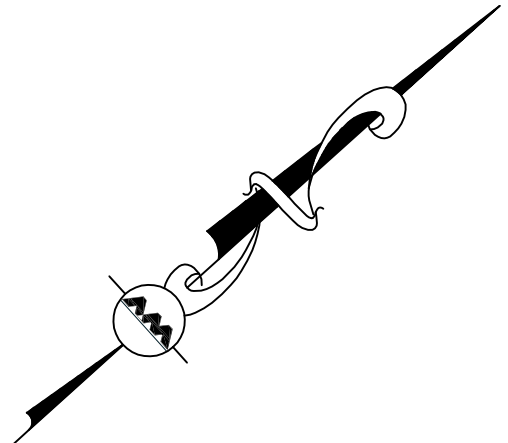
- NOTES
1. NORTH ARROW IS BASED ON MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (MAINLAND ZONE) (NAD 83).
 2. BOOK/PAGE AND PLAN REFERENCES ARE TAKEN FROM HAMPDEN COUNTY REGISTRY OF DEEDS IN SPRINGFIELD, MA.

GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

N:\PROJECTS\1839-02A\SUBSET\DRAWINGS\S-1839-02A-ROW-M-LT.DWG
FD# 1679 PG. 92



**ISSUED FOR
REVIEW**
JUNE 7, 2016

THIS PLAN IS THE RESULT OF AN ACTUAL REVIEW OF THE GROUP'S RECORDS PREPARED DURING THE PERIOD BETWEEN AUGUST 30, 2012 AND JANUARY 8, 2016.

THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS DATED JANUARY 1, 1976 AND REVISED JANUARY 12, 1988.

OWNERS OF ADDITIONAL PROPERTIES ARE SHOWN ACCORDING TO THE CURRENT LISTING OF THE GROUP'S RECORDS. THE LISTING OF THE ABOVE IS CERTIFIED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.

ALLEN & MAJOR ASSOCIATES, INC.

ALLEN & MAJOR ASSOCIATES, INC.

PROFESSIONAL LAND SURVEYOR FOR
ALLEN & MAJOR ASSOCIATES, INC.

[illegible]

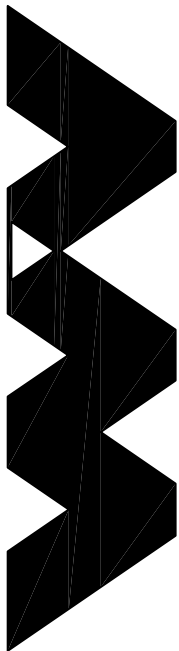
BLUE TARP REDEVELOPMENT, LLC
1441 MAIN STREET
SPRINGFIELD, MA 01103

PROJECT:

SRINGFIELD, MA
DEPARTMENT OF PUBLIC WORKS
HOWARD STREET
TAKING (1,108± S.F.)
UNION STREET
TAKING (8,146± S.F.)
PREPARED FOR
THE BOARD OF PUBLIC WORKS

PROJECT NO.	1839-02A	DATE:	06/07/16
SCALE:	1" = 30'	DWG. NAME:	S:1839-02A.R01WALIT
DRAFTED BY:	COB	CHECKED BY:	KJK

PREPARED BY:



ALLEN & MAJOR
ASSOCIATES, INC.

civil & structural engineering ♦ land surveying
environmental consulting ♦ landscape architecture
www.allenmajor.com
100 COURBON WAY

WOBURN MA 01888-0118

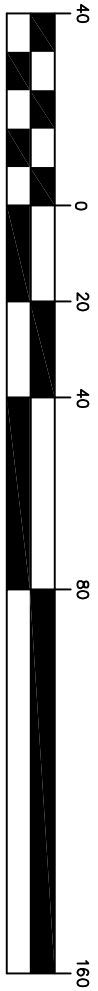
FAX: (781) 935-2896

WOBURN, MA ♦ LAKEVILLE, MA ♦ MANCHESTER, NH

NOTES

1. NORTH ARROW IS BASED ON MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (MAINLAND ZONE) (NAD 83).
2. BOOK/PAGE AND PLAN REFERENCES ARE TAKEN FROM HAMPDEN COUNTY REGISTRY OF DEEDS IN SPRINGFIELD, MA

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft

N:\PROJECTS\1839-02A\SURVEY\DRAWINGS\S-1839-02A-ROW-ALT.DWG
FR# 1629 PG 92

FB# 1679 PG. 92



Order Accepting a Quitclaim Deed from Blue Tarp ReDevelopment, LLC Transferring MGM Way and Three Smaller Parcels to the City, and Approving a Public Way, Easement and Maintenance Agreement by and Between the City and Blue Tarp ReDevelopment, LLC (Mayor Sarno)

WHEREAS, the City of Springfield and Blue Tarp reDevelopment, LLC (“Blue Tarp”) (collectively referred to as the “Parties”) are parties to the Host Community Agreement (“HCA”) By and Between City of Springfield, Massachusetts and Blue Tarp reDevelopment, LLC (the “Agreement”) entered into, and amended, in accordance with the provisions of Massachusetts General Laws Chapter 23K; and

WHEREAS, a Casino Overlay Site Plan Review to Facilitate the Location of a Licensed Casino and Casino Complex with the Boundaries Established by the City of Springfield for Casino Gaming Activities as Outlined Under the Casino Overlay Regulations (Article 8, Section 8.5 of the Springfield Zoning Ordinances) has been issued in accordance with the provisions of the HCA and the Springfield Zoning Ordinances; and

WHEREAS, Section II D. 2. of the Site Plan Review Findings and Decision of the City Council requires that MGM Way be established as a public way; and that an ANR (Approval Not Required) Plan, incorporating all the individual parcels comprising the Project Site, be submitted to the Springfield Planning Board for review and approval and filed at the Hampden County Registry of Deeds; and

WHEREAS, Section II E. 3. of the Site Plan Review Findings and Decision of the City Council requires that the public sidewalks immediately adjacent to the Project Site along State Street, Main Street, Union Street and East Columbus Avenue be maintained, including snow removal; and that Blue Tarp will be responsible for street sweeping, snow removal and general upkeep of MGM Way, Bliss Street and both sections of Howard Street; and

WHEREAS, Blue Tarp has vested title to property adjacent to and abutting certain existing public ways located in the City. Said public ways are known and designated as Bliss Street, Howard Street, Union Street and State Street (collectively, the “Existing Public Ways”); and

WHEREAS, Blue Tarp is willing to deed a portion of Blue Tarp’s property to the City in order to expand and or modify the Existing Public Ways; and

WHEREAS, in consideration of Blue Tarp conveying portions of Blue Tarp’s property to the City, the City desires to accept as a public way a portion of Blue Tarp’s property

located off of State Street known as “MGM Way” as shown on a Plan filed with this Order; and

WHEREAS, Blue Tarp and the City desire to each grant certain easements for the benefit of the other party in conjunction with the transactions contemplated herein as shown on said Plan filed with this Order; and

WHEREAS, in consideration of the expansion and modification of the Existing Public Ways and the creation of MGM Way, Blue Tarp has agreed to undertake certain construction and maintenance obligations associated with portions of Main Street, East Columbus Avenue, the Existing Public Ways and the newly created MGM Way as shown on said Plan filed with this Order.

NOW THEREFORE, BE IT ORDERED:

1. that the City Council of the City of Springfield with the approval of the Mayor hereby accepts a Quitclaim Deed from Blue Tarp reDevelopment, LLC conveying MGM Way and three other parcels as shown on the Plans filed with this Order, in substantially the same form as the attached Quitclaim Deed; and,
2. that the City Council of the City of Springfield with the approval of the Mayor hereby approves and authorizes the execution of a Public Way, Easement and Maintenance Agreement for the purposes of the expansion and modification of the Existing Public Ways, the creation of MGM Way, the granting of easements in the easement areas shown on the Plans filed with this Order, and specifying Blue Tarp’s construction and maintenance obligations associated with portions of Main Street, East Columbus Avenue, the Existing Public Ways and the newly created MGM Way, in substantially the form as the attached Agreement.

RESULT:	ADOPTED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

PUBLIC WAY, EASEMENT AND MAINTENANCE AGREEMENT

This Public Way, Easement and Maintenance Agreement (the “Agreement”) is made by and between Blue Tarp Redevelopment, LLC, a Massachusetts limited liability company with a principal place of business at 100 Franklin Street, 9th floor, Boston, Massachusetts (the “Owner”) and the City of Springfield (the “City”) a municipal corporation duly established under the laws of the Commonwealth of Massachusetts, with a principal place of business at 36 Court Street, Springfield, Massachusetts.

WHEREAS, the City and the Owner are parties to the Host Community Agreement (“HCA”) By and Between City of Springfield, Massachusetts and Blue Tarp reDevelopment, LLC (the “Agreement”) entered into, and amended, in accordance with the provisions of Massachusetts General Laws Chapter 23K; and

WHEREAS, a Casino Overlay Site Plan Review to Facilitate the Location of a Licensed Casino and Casino Complex with the Boundaries Established by the City of Springfield for Casino Gaming Activities as Outlined Under the Casino Overlay Regulations (Article 8, Section 8.5 of the Springfield Zoning Ordinances) has been issued in accordance with the provisions of the HCA and the Springfield Zoning Ordinances; and

WHEREAS, Section II D. 2. of the Site Plan Review Findings and Decision of the City Council requires that MGM Way be established as a public way; and that an ANR (Approval Not Required) Plan, incorporating all the individual parcels comprising the Project Site, be submitted to the Springfield Planning Board for review and approval and filed at the Hampden County Registry of Deeds; and

WHEREAS, Section II E. 3. of the Site Plan Review Findings and Decision of the City Council requires that the public sidewalks immediately adjacent to the Project Site along State Street, Main Street, Union Street and East Columbus Avenue be maintained, including snow removal; and that the Owner will be responsible for street sweeping, snow removal and general upkeep of MGM Way, Bliss Street and both sections of Howard Street; and

WHEREAS, the Owner has vested title to property adjacent to and abutting certain existing public ways located in the City. Said public ways are known and designated as Bliss Street, Howard Street, Union Street and State Street (collectively, the “Existing Public Ways”); and

WHEREAS, the Owner is willing to deed a portion of the Owner’s property to the City in order to expand and or modify the Existing Public Ways; and

WHEREAS, in consideration of the Owner conveying portions of the Owner’s property to the City, the City agrees to accept as a public way a portion of the Owner’s property located off of State Street known as “MGM Way” as further described herein; and

Attachment: 2017_08_22_13_15_20 (4190 : Order Accepting a Quitclaim Deed from Blue Tarp ReDevelopment, LLC)

WHEREAS, the Owner and the City have each agreed to grant certain easements for the benefit of the other party in conjunction with the transactions contemplated herein; and

WHEREAS, in consideration of the expansion and modification of the Existing Public Ways and the creation of MGM Way, the Owner has agreed to undertake certain construction and maintenance obligations associated with the Existing Public Ways and the newly created MGM Way.

NOW, THEREFORE, in consideration of the foregoing premises, mutual covenants and the terms and conditions contained herein, the parties agree as follows:

CONVEYANCE OF LAND

1. **MGM Way.** The Owner shall deed to the City a portion of the Owner's property identified as "Proposed 50' Right of Way "MGM Way", Area = 11,209 S.F. (0.26 +/- AC.)" and shown on a Plan entitled "Taking for MGM Way & Widening of Bliss Street" dated June 7, 2016, prepared by Allen & Major Associates, Inc.
2. **Bliss Street.** The Owner shall deed to the City a portion of the Owner's property identified as "Lot B-1, Area 6,748 +/- S.F. (0.15 AC.)" and shown on a Plan entitled "Taking for MGM Way & Widening of Bliss Street" dated June 7, 2016, prepared by Allen & Major Associates, Inc.
3. **Howard Street.** The Owner shall deed to the City a portion of the Owner's property identified as "Lot H-1, Area 1,108 +/- S.F. (0.03 AC.)" and shown on a Plan entitled "Widening of Howard Street & Union Street" dated June 7, 2016, prepared by Allen & Major Associates, Inc.
4. **Union Street.** The Owner shall deed to the City a portion of the Owner's property identified as "Lot U-1, Area 8,146 +/- S.F. (0.19 AC.)" and shown on a Plan entitled "Widening of Howard Street & Union Street" dated June 7, 2016, prepared by Allen & Major Associates, Inc.
5. **Acceptance by City.** Provided that the Owner satisfies the conditions set forth herein, all construction has been completed in accordance with the standards and requirements as shown on the development plans for the Project Site, and the City has accepted the work, the City shall accept delivery of the foregoing described deeds for the purpose of expanding and modifying the Existing Public Ways and shall simultaneously accept and thereafter dedicate MGM Way as a public street. The City will not grant its approval in a piecemeal fashion, but rather only upon completion of all of the private and public site development work for the entire project.

EASEMENTS

6. **Shuttle Bus Easement.** Either by reservation in the Owner's deed or by separate grant from the City to the Owner, such document to be recorded simultaneously with the Owner's deed, the City shall grant the Owner a non-exclusive perpetual right and easement to operate a shuttle bus and for other transit-related purposes upon, through and over the premises identified as "Proposed 15' Shuttle Easement, Area = 1.899 +/- S.F. (0.04 +/- AC.)" on a plan entitled "Proposed Easement Plan", dated June 7, 2016, prepared by Allen & Major Associates, Inc. According to project design plans, all or a portion of the easement area will contain "textured pavement". The Owner will be responsible for all maintenance, repair and replacement of this pavement.
7. **Drainage Easement.** The City shall, simultaneously with the Owner's deed of the Union Street property, grant to the Owner a non-exclusive perpetual drainage easement for the benefit of the Owner's remaining property over, upon and through the premises identified as "Proposed 10' Drain Easement, Area = 1.631 +/- S.F. (0.04 +/- AC.)" on a plan entitled "Proposed Easement Plan", dated June 7, 2016, prepared by Allen & Major Associates, Inc. The easement will designate that the drainage pipe is owned by the Owner and that the Owner will have responsibility for all ongoing maintenance, repair and replacement of the pipe.
8. **Sidewalk Easement.** Either by additional grant in the Owner's deed of the Union Street property, or by separate grant from the Owner to the City, such document to be recorded simultaneously with the Owner's deed, the Owner shall grant to the City a non-exclusive perpetual sidewalk easement for the benefit of the inhabitants of the City over, upon and through the premises identified as "Proposed Sidewalk Easement, Area = 430 +/- S.F. (0.01 +/- AC.)" on a plan entitled "Proposed Easement Plan", dated June 7, 2016, prepared by Allen & Major Associates, Inc. The easement will include a provision that all manners of public access will be allowed within the easement area, and will also address the topics of ownership, maintenance and liability.
9. **All Purpose Easement.** By reservation in the Deed from Owner to the City, the Owner shall reserve unto itself easements identified as the "Proposed 11' All Purpose Easement I" with an area of 807 sq. ft., and the "Proposed 11' All Purpose Easement II" with an area of 2,208 square feet, as shown and delineated on a Proposed Easement Plan, prepared by Allen & Major Associates, Inc. (collectively, the "All Purpose Easements"), both to be located within MGM Way. Owner shall have the right to use the All Purpose Easements to install utilities, lighting, signage, sidewalks and landscaping as well as for any other purpose for which Owner deems appropriate and

necessary to for the completion an continued operation of the Casino as set forth in the submitted Site Plan.

CONDITIONS

The City's obligation to (i) accept the deeds contemplated herein, and (ii) expand and modify the Existing Public Ways, and (iii) accept MGM Way as a public street, is conditioned upon the Owner satisfying the following:

10. The Owner shall, at its own expense, construct MGM Way and the expansions and modifications of the Existing Public Ways in accordance with plans and specifications mutually agreed to by the Owner and the City.
11. The Owner shall prepare and then submit, at its own expense, any and all necessary plans to create the lots to be transferred to the City and the easement plans for the drainage and sidewalk easements. The Owner shall be responsible for the recording of the same with the Hampden County Registry of Deeds.

The Owner's obligations hereunder are conditioned upon the City completing the following:

12. The City shall provide final approval of all surveying, engineering and construction plans submitted by the Owner for the deeds, the easements, the construction of MGM Way, and the expansion and modification of the Existing Ways.
13. The City shall take any and all necessary steps to grant the Shuttle Bus Easement, the Drainage Easement, and the Sidewalk Easement; accept the deeds of conveyance; and accept and dedicate MGM Way as a public way and accept a mutually acceptable signage plan for said MGM Way.

MAINTENANCE

14. Upon (i) completion of the Owner's construction of MGM Way and the expansions and modifications of the Existing Public Ways, and (ii) the recording of the deeds and the grants of the easements, and (iii) after the grant by the City of all the necessary approvals for the foregoing, the Owner shall undertake the responsibility for and the expense of street sweeping, snow removal and general maintenance of MGM Way, Bliss Street and both sections of Howard Street. Maintenance will include responsibility for such items as sidewalks, trees and other landscaping, lighting, trash receptacles and all signage. In addition, the Owner shall undertake sweeping, snow removal and general maintenance of the

sidewalk areas abutting the Owner's property on State Street, Main Street and Union Street. Maintenance will include such items as sidewalks, trees and other landscaping, lighting, trash receptacles and all signage. The Owner's obligation for street sweeping, snow removal and general maintenance of MGM Way, Bliss Street and both sections of Howard Street, and the sweeping, snow removal and general maintenance of the sidewalk areas abutting the Owner's property on State Street, Main Street, and Union Street shall automatically terminate upon the first to occur of either one of the following events: (i) the Owner, or an affiliate of the Owner, no longer holds title to the remaining land abutting the Existing Public Ways, MGM Way, and Main Street or (ii) MGM Springfield, no longer operates a casino/hotel facility on the Owner's remaining adjacent land.

The portions of MGM Way, the Existing Public Ways, and Main Street that are subject to this Agreement are as follows:

MGM Way from the intersection with State Street to the intersection with Bliss Street;

Bliss Street from the intersection with MGM Way to the intersection with East Columbus Avenue.

Howard Street from the intersection with Main Street to and including the cul-de-sac;

Howard Street (West) from the MGM Parking Garage to the intersection with East Columbus Avenue;

Main Street sidewalk from the intersection with State Street to the intersection with Union Street;

State Street sidewalk from the intersection with MGM Way to the intersection with Main Street;

Union Street sidewalk from the intersection with Main Street to the boundary between the Owner's property and the property of Colvest/Columbus Spfld, LLC.

15. This Agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts.
16. The effective date of this Agreement shall be the date of the signature of the last signatory to this document.

INDEMNIFICATION

17. Owner shall save and hold harmless, defend, protect and indemnify the City, its elected officials, officers, employees and agents, from and against any and all liabilities, obligations, damages, penalties, claims of any kinds, causes of action, costs, charges and expenses, including reasonable attorney's fees and expenses of agents, which may be imposed upon or incurred against the City, its elected officials, officers, employees or agents by reason of any occurrence, omission or accident arising out of Owner's performance of its obligations under this Agreement.

INSURANCE

18. In connection with the performance of its obligations under this Agreement, Owner shall maintain appropriate insurance coverage with such limits as are usually maintained by prudent owners and operators of similar facilities and shall name the City as additional insureds under such policies. The policies required hereunder shall be issued by insurance companies licensed to do business in the Commonwealth of Massachusetts and shall provide for at least twenty (20) days' notice to the City. Upon execution of this Agreement, Owner shall deliver to the City certificates of insurance showing the coverage in force, as well as any replacement certificates issued during the term of this Agreement.

MISCELLANEOUS PROVISIONS

19. This Agreement constitutes the entire agreement between the parties relating to the subject matter of this Agreement. Any previous agreement, assertion, statement, understanding, or other commitment before the date of this Agreement, whether written or oral, shall have no force or effect upon the terms and conditions of this Agreement, except as otherwise provided for and acknowledged. No agreement, assertion, statement, understanding, or other commitment during the term of this Agreement, or after the term of this Agreement, shall have any legal force or effect upon the terms and conditions of this Agreement unless properly executed in writing by the parties.
20. Regardless of the actual drafter of this Agreement, this Agreement shall, in the event of any dispute over its meaning or application, be interpreted fairly and reasonably, and neither more strongly for nor against the parties to this Agreement.
21. All official communications and notices required to be made under this Agreement shall be deemed made if served by personal delivery, delivered

by a nationally recognized overnight courier, or deposited notice in the United States mail, certified, return receipt requested, postage prepaid, addressed to the parties at the addresses listed below, unless otherwise specified in this Agreement:

If to the City: City of Springfield
Department of Public Works
70 Tapley Street
Springfield, MA 01104

Attn: Director

With a copy to: Law Department
City of Springfield
36 Court Street
Springfield, MA 01103

Attn: City Solicitor

If to Owner: Blue Tarp reDevelopment, LLC
1441 Main Street
Springfield, MA 01105

Attn: Seth N. Stratton Esq.

With a copy to: Corporate Legal
3950 Las Vegas Blvd. South
Las Vegas, Nevada 89119

Attn: Deputy General Counsel

22. The City and Owner respectively, bind themselves, their successors in interest, assigns and legal representatives to this License Agreement.
23. It is understood and agreed that Owner and the City shall in no event be construed or held to be partners, associates, affiliates, joint venturers or other related entities, or enterprises in the conduct of Owner under this Agreement, and at all times their relationship shall remain that of licensor and licensee, as applicable.
24. This Agreement does not grant Owner, or its affiliates, successors, assigns, or transferees any interest, legal or equitable, in MGM Way or the Existing Public Ways. In the performance of its obligations under this Agreement, Owner shall not unreasonably interfere with, or limit, the public's use of any public way.

25. The Agreement hereunder is personal to Owner and any attempted assignment or sublease by Owner, without the prior written consent of the City shall immediately and automatically terminate this Agreement. Owner shall not assign any interest in this Agreement or transfer any interest in the same, whether by assignment or novation without the prior written consent of the City, which consent the City may withhold in its absolute discretion.
26. The Parties hereto expressly agree that the sole and exclusive place, situs and forum of this Agreement shall be Springfield, Massachusetts. All claims, actions and legal proceedings which in any way arise under or relate to this Agreement shall be solely and exclusively brought, heard, conducted, prosecuted, tried and determined within Springfield, Massachusetts. It is the express intention of the Parties that the exclusive venue of all claims, actions and legal proceedings of any nature whatsoever which in any way arise under or relate to this Agreement shall be either the Superior Court Department of the Trial Court of the Commonwealth of Massachusetts sitting in the Hampden County Hall of Justice, Springfield, Massachusetts or the United States District Court for the District of Massachusetts sitting in Springfield, Massachusetts.
27. If the final judgment of a court of competent jurisdiction invalidates any part of this Agreement, then the remaining parts of this Agreement shall remain in full effect.
28. If at any time either party, its successors or assigns, fails to enforce this Agreement, whether or not any violations of it are known, such failure shall not constitute a waiver or estoppel of the right to enforce it.
29. This Agreement may be executed in counterparts, each of which taken together shall constitute a single document. This Agreement may be executed by the parties via electronic, facsimile, or PDF signatures, which shall be as binding and effective as if original signatures.

[Signatures on following page]

Executed as a sealed instrument as of this ____ day of _____, 2017.

Blue Tarp Redevelopment, LLC

By: _____
Its

Executed as a sealed instrument as of this ____ day of _____, 2017.

City of Springfield

By: _____
Dominic J. Sarno
Its: Mayor

Affected Premises:

MGM Way
 Bliss Street
 Howard Street
 Union Street
 Springfield, MA

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT BLUE TARP REDEVOPMENT, LLC, a Massachusetts limited liability company with an address of 100 Franklin Street, 9th Floor, Boston, Massachusetts,

For consideration in the amount of ONE DOLLAR (\$1.00)

grants to the CITY OF SPRINGFIELD, a municipal corporation duly established under the laws of the Commonwealth of Massachusetts and having a usual place of business at 36 Court Street, Springfield, Hampden County, Massachusetts

with QUITCLAIM COVENANTS

Four parcels of land located in Springfield, Hampden County, Massachusetts, being bounded and described as follows:

FIRST PARCEL—MGM WAY:

A certain parcel of land situated on the Southeasterly side of State Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bound and described as follows:

Beginning at the Northwesterly most point of the lot to be described hereafter; thence

Southeasterly	Along an arc to the left having a radius of twenty and no hundredths feet (20.00'), an arc length of thirty-one and fifty-five hundredths feet (31.55'0, a chord length of twenty-eight and thirty-eight hundredths feet (28.38') and a chord bearing of S02°58'23"E to a point of tangency; thence
---------------	---

S48°10'00"E	Two hundred and seventy-five hundredths feet (200.75') to a point; thence
-------------	---

S42°32'30"W Fifty and no hundredths (50.00') to a point; thence

N48°10'00"W Two hundred and seventy-four hundredths feet (200.74') to a point of curvature; thence

Southwesterly Along an arc to the left having a radius of twenty and no hundredths feet (20.00'), an arc length of thirty-one and twenty-eight hundredths feet (31.28'), a chord length of twenty-eight and nineteen hundredths feet (28.19') and a chord bearing of S87°01'37"W to a point of non-tangency; thence

N42°13'15"E Ninety and no hundredths (90.00') to the point of beginning.

The above described parcel contains an area of 11,209 square feet (.26 acres), more or less, and is more particularly shown as "Proposed 50' Right of Way "MGM Way" " on a plan entitled "Taking for MGM Way & Widening of Bliss Street – Springfield, MA – Department of Public Works – MGM Way Taking (11,209± S.F.) - Bliss Street Taking (6,748± S.F.) - Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

BEING a portion of the same premises conveyed to the Grantor by deed of _____, dated _____, and recorded in the Hampden County Registry of Deeds in Book _____, Page _____.

SECOND PARCEL—LOT B-1:

A certain parcel of land situated on the Southeasterly side of Bliss Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Southerly most point of the lot to be described hereafter; thence

N49°13'21"W Sixty-four and ninety-three hundredths feet (64.93') to a point; thence

N42°13'39"E Four hundred thirty-four and thirty-one hundredths feet (434.31') to point; thence

S48°10'00"E Fifteen and no hundredths feet (15.00') to a point; thence

S42°26'00W Three hundred eight-two and sixty-one hundredths feet (382.61') to a point of curvature; thence

Southeasterly Along an arc to the left having a radius of fifty and no hundredths feet (50.00'), an arc length of seventy-nine and ninety-eight hundredths feet (79.98'), a chord length of seventy-one and seventy-two hundredths feet (71.72') and a chord bearing of S03°23'40"E to the point of beginning.

The above described parcel contains an area of area of 6,748 square feet (0.15 acres), more or less, and is more particularly shown as "Lot B-1" on a plan entitled "Taking for MGM Way & Widening of Bliss Street — Springfield, MA - Department of Public Works – MGM Way Taking (11,209± S.F.) - Bliss Street Taking (6,748± S.F.) - Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

BEING a portion of the same premises conveyed to the Grantor by deed of _____, dated _____, and recorded in the Hampden County Registry of Deeds in Book _____, Page _____.

THIRD PARCEL—LOT H-1:

A certain parcel of land situated on the Southwesterly side of Howard Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Northerly most point of the lot to be described hereafter; thence

S43°10'27"W Seventy-eight and twenty-eight hundredths feet (78.28') to a point of non-tangent curvature; thence

Northwesterly Along an arc to the right having a radius of thirty-six and no hundredths feet (36.00'), an arc length of seventy-six and twenty-three hundredths feet (76.23'), a chord length of sixty-two and seventy-six hundredths feet (62.76') and a chord bearing of N35°48'48"E to a point of reverse curvature; thence

Northeasterly Along an arc to the left having a radius of twenty and no hundredths feet (20.00'), an arc length of eighteen and sixty hundredths feet (18.60'), a chord length of seventeen and ninety-four hundredths feet (17.94') and a chord bearing of N69°49'13"E to the point of beginning.

The above described parcel contains an area of area of 1,108 square feet (0.03 acres), more or less, and is more particularly shown as "Lot H-1" on a plan entitled "Widening of Howard Street & Union Street Springfield, MA - Department of Public Works — Howard Street Taking (1,108+ S.F.) — Union Street Taking (8,146+ S.F.) — Prepared for The Board of Public Works". Dated June

7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

BEING a portion of the same premises conveyed to the Grantor by deed of _____, dated _____, and recorded in the Hampden County Registry of Deeds in Book _____, Page _____.

FOURTH PARCEL—LOT U-1:

A certain parcel of land situated on the Southwesterly side of Union Street in the City of Springfield, County of Hampden, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the Northerly most point of the lot to be described hereafter; thence

S44°10'53"E	Ten and eighty-one hundredths feet (10.81') to a point; thence
S42°37'17"W	Seven hundred thirty-one and nineteen hundredths feet (731.19') to a point; thence
N27°09'19"E	Thirty-four and no hundredths feet (34.00') to a point of curvature; thence
Northeasterly	Along an arc to the right having a radius of two hundred fifty and no hundredths feet (250.00'), an arc length of sixty-seven and forty-nine hundredths feet (67.49'), a chord length of sixty-seven and twenty-nine hundredths feet (67.29') and a chord bearing of N34°53'22"E to a point of tangency; thence
N42°37'25"E	One hundred fifteen and no hundredths feet (115.00') to a point of curvature; thence
N46°19'02"E	One hundred fifty-five and no hundredths feet (155.00') to a point; thence
N42°41'58"E	Three hundred forty-eight and no hundredths feet (348.00') to a point; thence
N30°31'25"E	Fifteen and no hundredths feet (15.00') to the point of beginning.

The above described parcel contains an area of area of 8,146 square feet (0.19 acres), more or less, and is more particularly shown as "Lot U-1" on a plan entitled "Widening of Howard Street & Union Street — Springfield, MA - Department of Public Works — Howard Street Taking (1,108± S.F.) — Union Street Taking (8,146± S.F.) -Prepared for The Board of Public Works". Dated June 7, 2016. Prepared for Blue Tarp reDevelopment, LLC. Prepared by Allen & Major Associates, Inc.

BEING a portion of the same premises conveyed to the Grantor by deed of _____, dated _____, and recorded in the Hampden County Registry of Deeds in Book _____, Page _____. SUBJECT to all easements, restrictions and covenants of record, if in force and applicable.

All the above described parcels are being conveyed for the sole purpose of expanding and modifying existing public ways.

Signed as a sealed instrument this _____ day of _____, 2017.

COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

On this _____ day of _____, 2017, before me, the undersigned notary public, personally appeared, _____ proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

_____, Notary Public

My commission expires: _____

Attachment: 2017_08_22_13_15_20 (4190 : Order Accepting a Quitclaim Deed from Blue Tarp ReDevelopment, LLC)



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4175

ADOPTED

PETITION (ID # 4175)

CMA- Newland Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: August 15, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of the Columbia Gas of Massachusetts, dated July 7, 2017, to install underground gas main pipe to introduce media pressure gas to the area and retire the aged low pressure cast iron main within the Right of Way along Newland Street in Brightwood Neighborhood. Starting in valve located on Riverside Road with two (2") inches pipe running easterly direction approximately one thousand three hundred five (1,375') feet to Plainfield Street to connect to a valve located in the south side of Newland Street, all as substantially shown on a plan attached with project name, Newland Street PROJECT ID # 17-46011 which is incorporated herein by reference and to lay and maintain underground gas main pipes for the purpose of improvements of the system, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 14, 2017 at 4:00 P.M. at the corner of Newland Street and Plainfield Street in Springfield, MA after due notice from the office of the City Clerk. Two (2) members of the Board and two (2) persons interested in the matter were present. Of the latter, two (2) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the utility company can upgrade existing underground facilities and The Department of Public Works can pave Newland Street.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____))
 _____)) BOARD OF PUBLIC WORKS

_____)

RESULT: RECEIVED PASSED



July 7th, 2017

Honorable Mayor and City Council
City of Springfield
City Hall
Court Street
Springfield, MA 01103

ATTN: Mr. Anthony Wilson, City Clerk

Ladies and Gentleman:

Columbia Gas of Massachusetts (CMA) hereby requests that it be granted a location for and permission to install underground gas main(s) within a section of the Brightwood Neighborhood (as seen in the attached plan). Work will extend to the following street in varying degrees/durations:

- Newland Street

This project will introduce medium pressure gas to the area and retire the aged elevated pressure cast iron main. All proposed work by CMA will include such laterals and service connections as it may now or subsequently find necessary.

Said gas main to be installed in accordance with the enclosed plan.

Sincerely,

Jocelyn Forcier, Intern Field Engineer

Attachment: Newland Street petition (4175 : CMA- Newland Street)

Columbia Gas[®] of Massachusetts

A NiSource Company

JOB ORDER NUMBER (INSTALL) 17-0821052-00

JOB ORDER NUMBER (ABANDON) 17-0821053-00

PROJECT ID 17-46011

NEWLAND STREET

JOB TYPE: BUDGET NAME (557/558)



Know what's below.
Call before you dig.

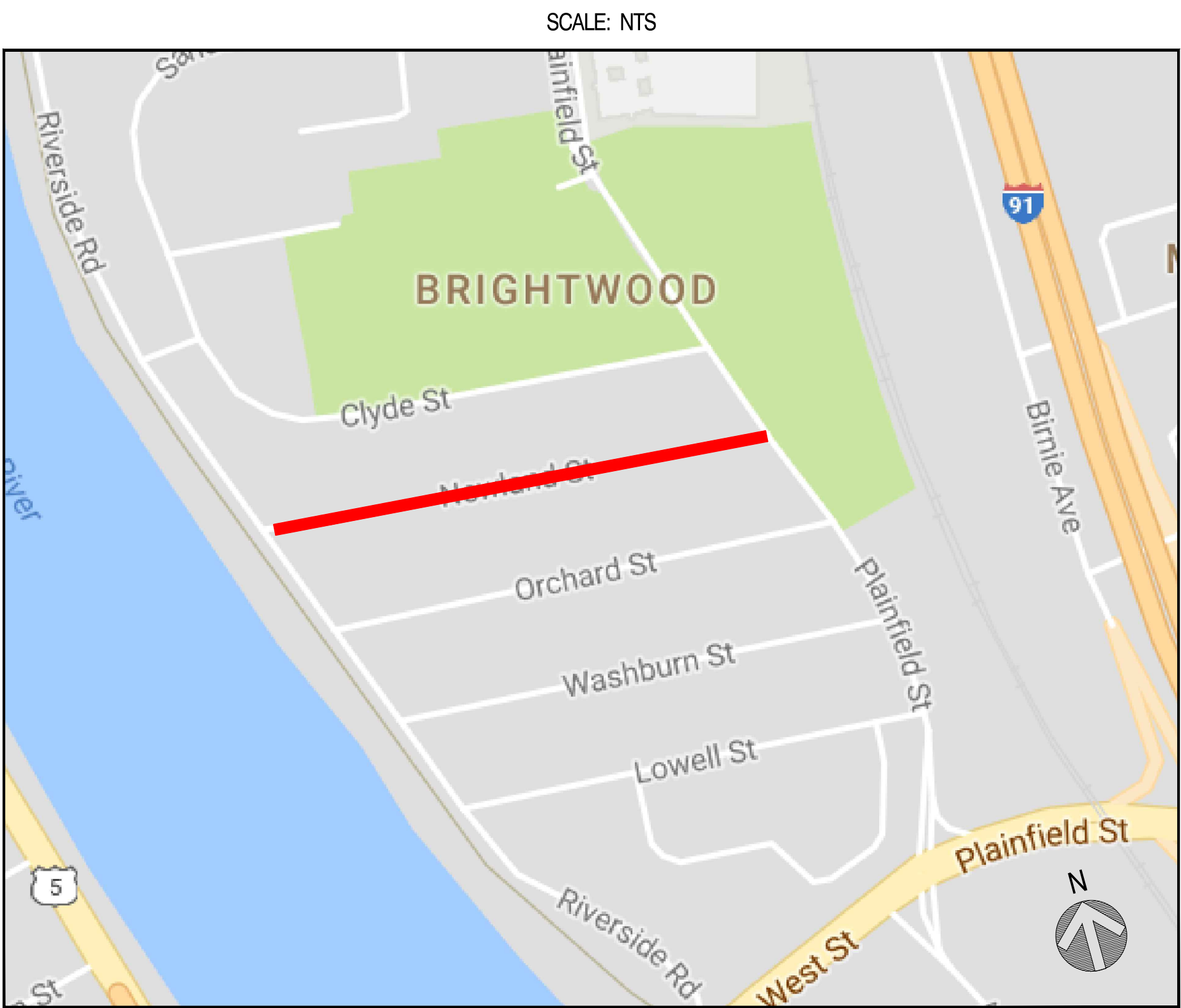
PROJECT INFORMATION

FIELD ENGINEER/TECHNICIAN:	JTF
CONSTRUCTION FLL:	MARK PARISEAU, JEFF PHILIPPE, MIKE ALIENGENA
PERMITS:	CITY PERMIT
TCC:	8200
COUNTY:	HAMPDEN (013)
TAX DISTRICT:	0000244
MAP NUMBER:	35
SYSTEM NUMBER(S):	80003064
24 HR. EMERGENCY LINE:	1-800-525-8222

LEGEND

EXISTING GAS MAIN	TEST WELL
EXISTING GAS MAIN TO BE ABANDONED	REGULATOR STATION
PROPOSED GAS MAIN	SINGLE CUSTOMER REGULATOR
PROPOSED GAS MAIN UPRATE	METER
CS COATED STEEL GAS MAIN	METER WITH REGULATOR
CI CAST IRON GAS MAIN	TEST POINT (STATION)
BS BARE STEEL GAS MAIN	GAS SERVICE TIE-OVER
VI WROUGHT IRON GAS MAIN	GAS SERVICE REPLACEMENT
PH HIGH DENSITY POLYETHYLENE GAS MAIN	METER MOVE OUT
PM MEDIUM DENSITY POLYETHYLENE GAS MAIN	TELEPHONE MANHOLE
LP LOW PRESSURE	DRAIN MANHOLE
IP INTERMEDIATE PRESSURE	ELECTRIC MANHOLE
MP MEDIUM PRESSURE	CATCH DRAIN
HP HIGH PRESSURE	SEWER MANHOLE
AT ATTACHED	FIRE HYDRANT
BH BRIDGE HANGER	UTILITY POLE
BLGH BUILDING HANGER	WETLAND
DB DIRECTIONAL BORE	GAS VALVE
IS INSERTED	CRITICAL GAS VALVE
OC OPEN CUT	PRESSURE CONTROL FITTINGS
PB PNEUMATIC BORE	TRANSITION
PL PLOWED	END CAP
RT ROOF TOP	REDUCER
(E) EXISTING	ELECTRONIC MARKER
(P) PROPOSED	FLUSH-MOUNTED TRACER WIRE STATION
	POST PIPELINE MARKER WITH TRACER WIRE
W1 WELD LOCATION	
T1 GAS MAIN TIE IN LOCATION	
A1 GAS MAIN ABANDONMENT LOCATION	

VICINITY MAP



PROJECT DESCRIPTION

INSTALL 2,715' OF 2" PHMP AND RETIRE 1,360' OF 6" CILP ON NEWLAND STREET IN SPRINGFIELD.

SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
O-1	OVERVIEW SHEET
L-1 - L-3	LAYOUT PLANS
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
2,715'	2"	PHMP	1,360'	6"	CILP
2,715'	TOTAL INSTALLATION (FEET)		1,360'	TOTAL ABANDONMENT (FEET)	
PROPOSED GAS SERVICES					
	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS	
ESTIMATED GAS SERVICES	69	9	78	73	

GENERAL NOTES

- THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
- PROPERTY LINES, STRUCTURES, STREET LINES, ETC. WERE COMPILED USING THE COLUMBIA GAS GIS DATABASE AND ARE TO BE CONSIDERED APPROXIMATE.
- EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.
- PROPOSED OR COMPLETED INSTALLATION LOCATION REFERENCES MAY BE INDICATED BY A COMBINATION OF THE FOLLOWING CODES: F - FRONT, BK - BACK, L - LEFT, R - RIGHT, B - BUILDING EDGE, CEL - CENTER OF EASTBOUND LANE, CLP - CENTER OF PAVEMENT, CLR - CENTER OF RIGHT-OF-WAY, CNL - CENTER OF NORTHBOUND LANE, CSL - CENTER OF SOUTHBOUND LANE, CU - CURB, CWL - CENTER OF WESTBOUND LANE, D - DRIVEWAY EDGE, EP - EDGE OF PAVEMENT, ES - EDGE OF SIDEWALK, PL - PROPERTY LINE.

PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/30/17	Submitted for Review

DESIGNED BY	JTF	6/30/17	X
DRAWN BY	JTF	6/30/17	X
CHECKED BY	BJM	7/5/17	X
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

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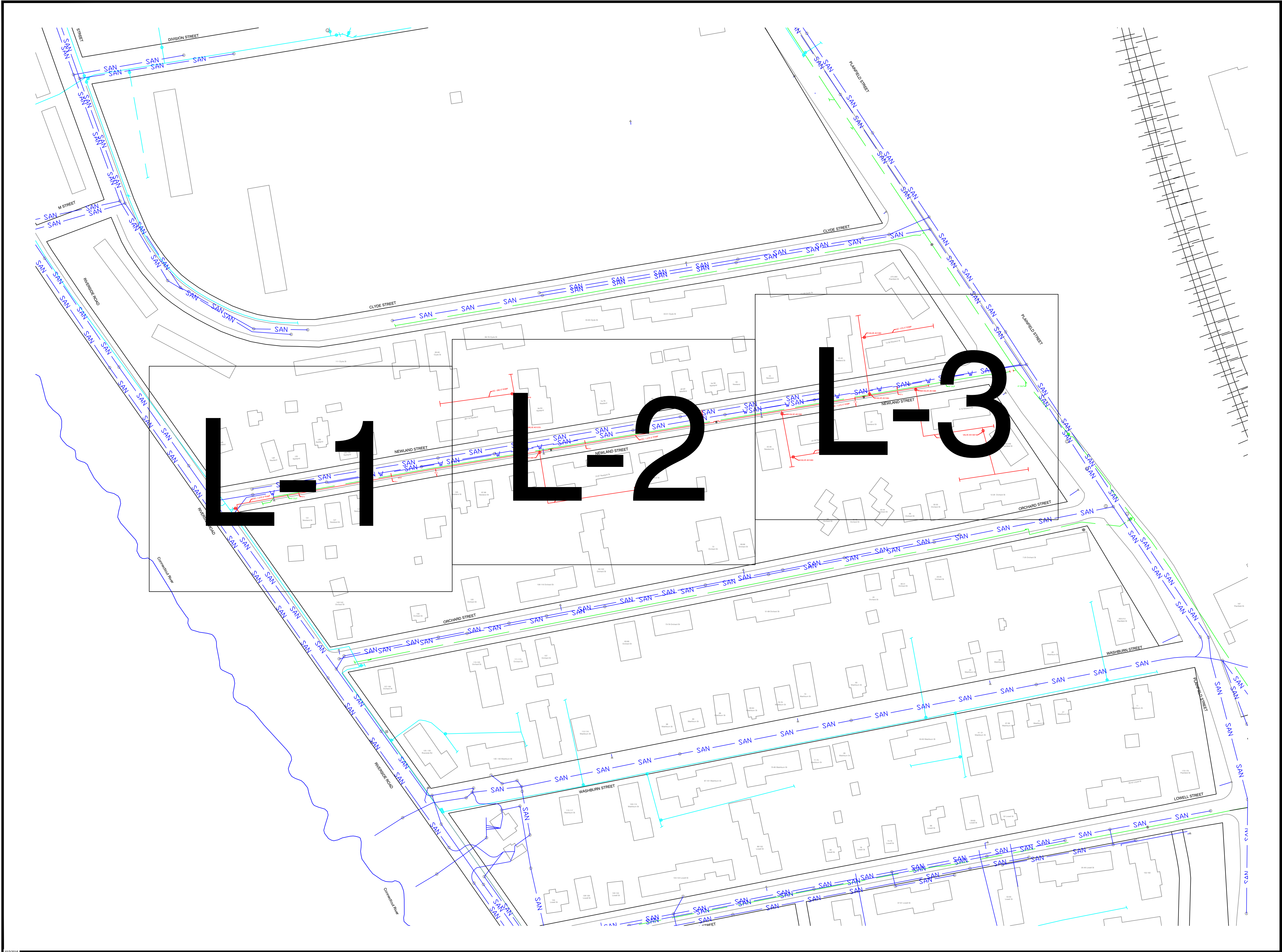
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JO# 17-0821053-00
PROJECT ID# 17-46011
NEWLAND STREET
SPRINGFIELD, HAMPDEN

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TITLE SHEET

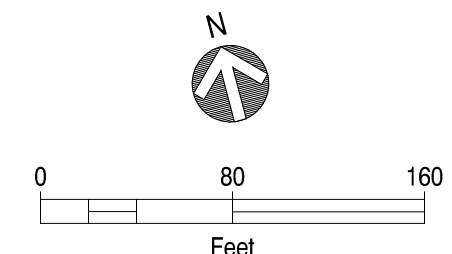
DRAWING NO:

T-1



Know what's below.
Call before you dig.

L-1 L-2 L-3



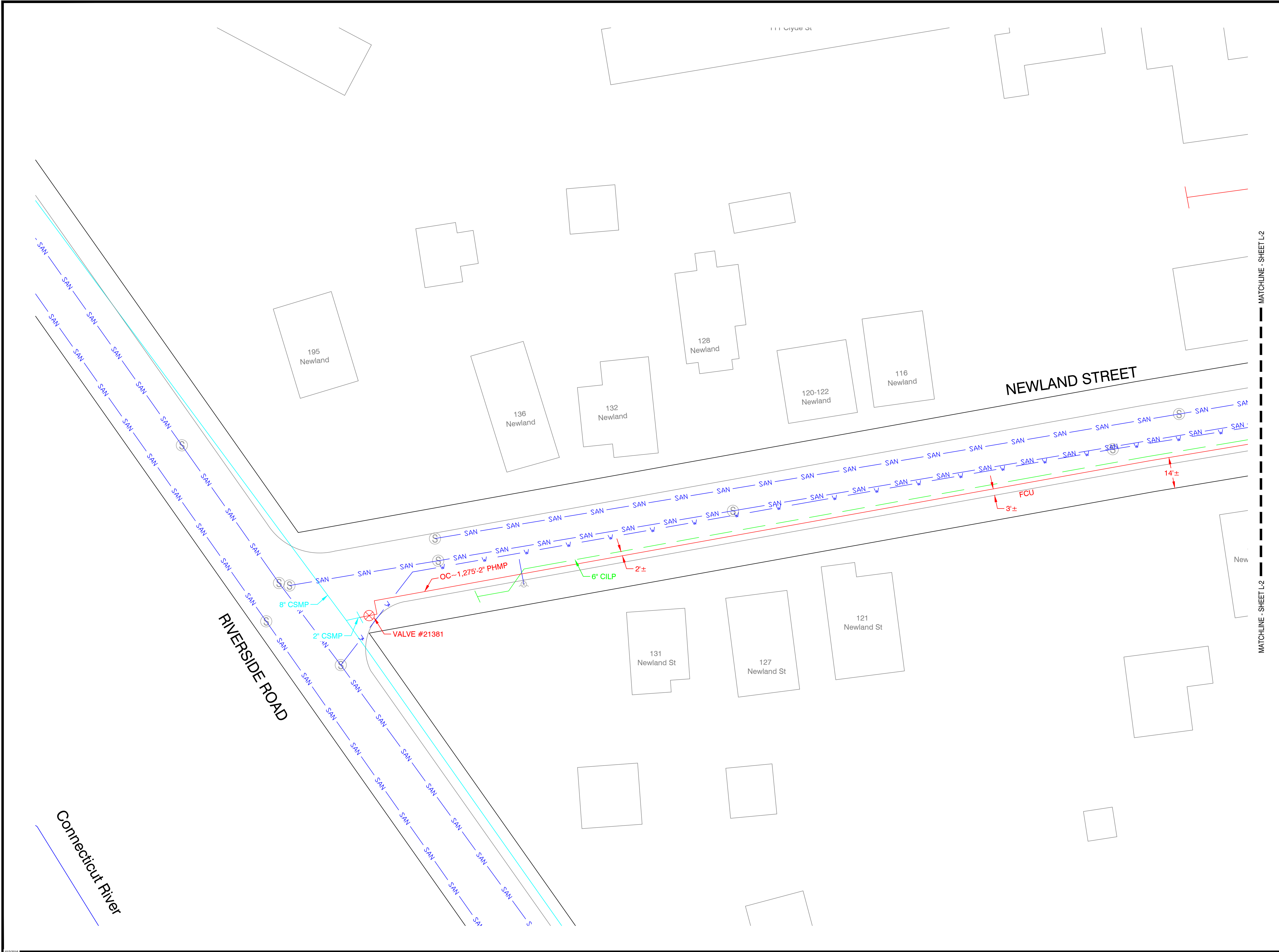
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REV. #	DATE	DESCRIPTION	
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DRAWN BY	JTF	6/30/17	X
CHECKED BY	BJM	7/5/17	X
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:
JO# 17-0821052-00
JO# 17-0821053-00
PROJECT ID# 17-46011
NEWLAND STREET
SPRINGFIELD, HAMPDEN

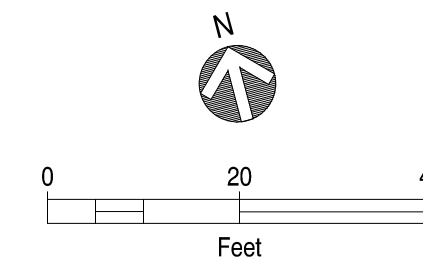
DRAWING TITLE:
OVERVIEW SHEET

DRAWING NO:
O-1



Know what's below.
Call before you dig.

L-1 L-2 L-3



PROPOSED

REVISIONS

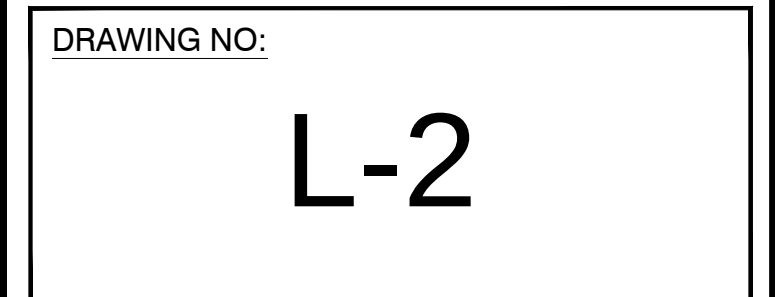
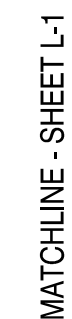
REV. #	DATE	DESCRIPTION
0	6/30/17	Submitted for Review

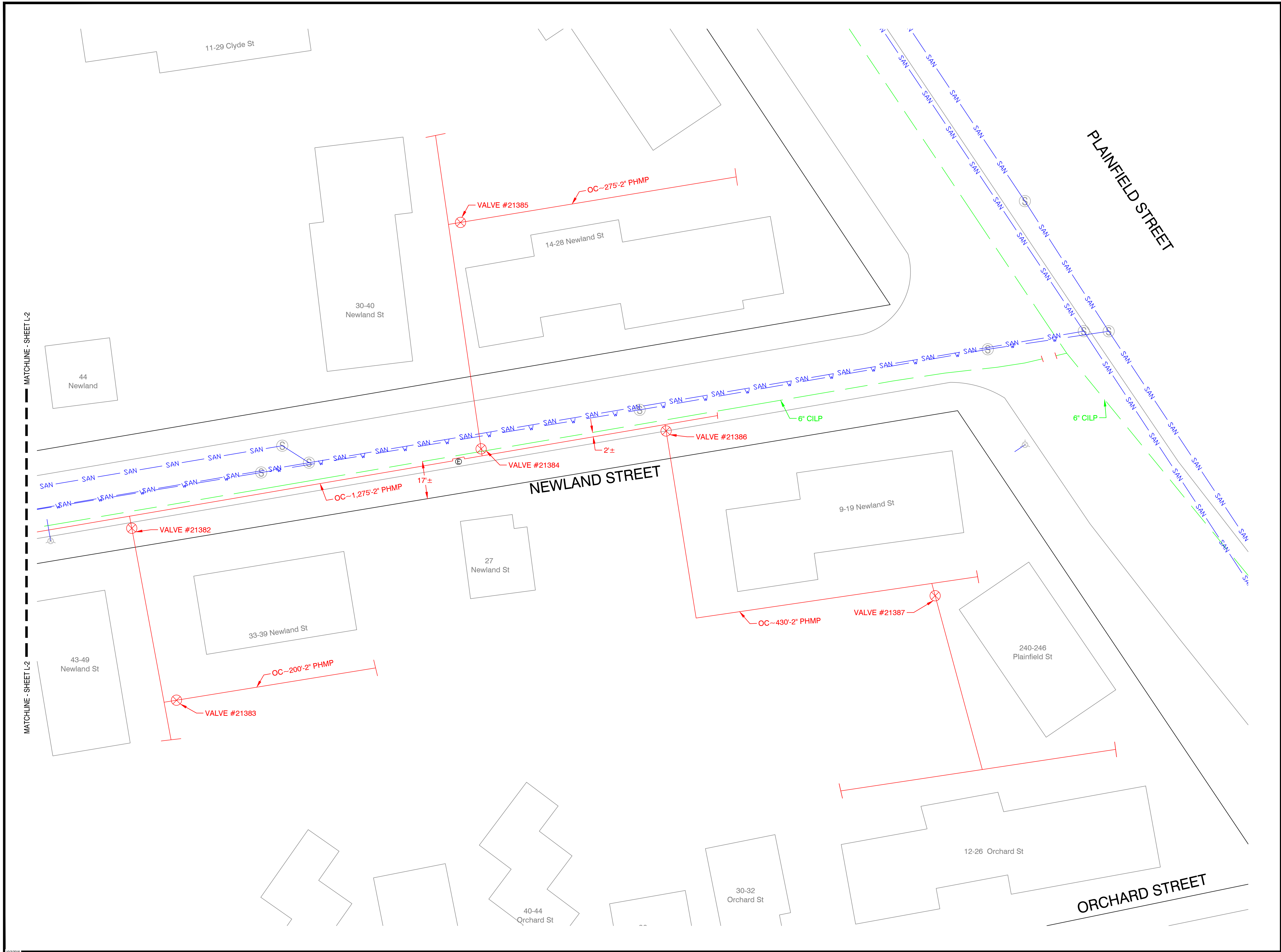
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	NAME	DATE	PHONE #

SITE NAME:
JO# 17-0821052-00
JO# 17-0821053-00
PROJECT ID# 17-46011
NEWLAND STREET
SPRINGFIELD, HAMPDEN

DRAWING TITLE:
OVERVIEW SHEET

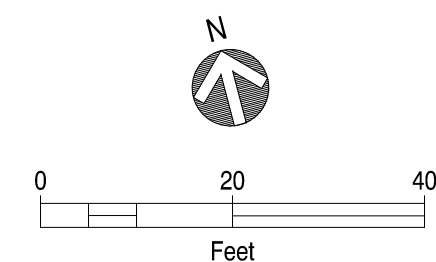
DRAWING NO:
L-1





Know what's below.
Call before you dig.

L-1 L-2 L-3



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	6/30/17	Submitted for Review

DESIGNED BY	JTF	6/30/17	X
DRAWN BY	JTF	6/30/17	X
CHECKED BY	BJM	7/5/17	X
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:
JO# 17-0821052-00
JO# 17-0821053-00
PROJECT ID# 17-46011
NEWLAND STREET
SPRINGFIELD, HAMPDEN

DRAWING TITLE:
OVERVIEW SHEET

DRAWING NO:
L-3

AS-BUILT NOTES
(TO BE COMPLETED DURING CONSTRUCTION)



PROPOSED

REVISIONS		
0	6/30/17	Submitted for Review
REV. #	DATE	DESCRIPTION

DESIGNED BY	JTF	6/30/17	X
DRAWN BY	JTF	6/30/17	X
CHECKD BY	BJM	7/5/17	X
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:

JO# 17-0821052-00
JO# 17-0821053-00
PROJECT ID# 17-46011
NEWLAND STREET
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

CONSTRUCTION
DETAILS

DRAWING NO:

D-1



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4176

ADOPTED

PETITION (ID # 4176)

Lighttower- 95 State Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: August 9, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of Lighttower Fiber Networks dated July, 2017 to install new conduit with fiber optic cable in the Public Right -Of -Way on State Street to service MGM Casino. Beginning at the electric manhole # 1, located near the south corner of Main Street and State Street, running southwesterly with 1-4" PVC conduit for one hundred fifty eight (158)' feet to property located on #95 State Street, all as substantially shown on a plan attached, 95 State Street which is incorporated herein by reference and to lay and maintain underground cables and Fiber Optic lines in public ways for the purpose of provide fiber optic network to MGM Casino, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 9, 2017 at 4:30PM at the corner of State Street and Main Street Springfield, MA after due notice from the office of the City Clerk. Two (2) members of the Board and one (1) person interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the company can provide fiber optic network to MGM Casino.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better. Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That all proposed silo, manhole and hexhole covers will conform to and be compatible with established street, treebelt or sidewalk grades with suitable non-skid covers when in the sidewalk area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That asphalt trench restoration be done in accordance with the City of Springfield DPW requirements.

That all conditions set forth in the respective order are complied with.

_____))
 _____)) BOARD OF PUBLIC WORKS

_____)

RESULT: RECEIVED PASSED

**Board of Public Works Petition**

To: Board of Public Works

Re: MGM Hotel - Petition for new conduit from the basement of 95 State St to a Verizon owned MH in the road on State St for service to 95 State St, Springfield MA (approx. 158')

Dear Board of Public Works,

Lighttower Fiber Networks respectfully submits this letter to petition for location of new conduit in the Public Right-Of-Way of Spring St. Springfield MA for the MGM Hotel. The location of the proposed conduit is within the attached plan and is approx. 158lf. Please contact me with questions or concerns.

Sincerely,

Steve Crescimanno

Fiber Construction Engineer, Lighttower Fiber Networks, LLC

(O)508-616-7865 (C)860-576-0742

80 Central St, Boxborough MA 01719

Attachment: Board of Public Works Petition 95 State St (4176 : Lighttower- 95 State Street)



PROPOSED CONDUIT INSTALLATION
AT
95 STATE ST
IN
SPRINGFIELD, MA

INDEX OF DRAWING

SHT NO.	DESCRIPTION
01	PROPOSED PLAN

GENERAL NOTES

1. THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY AN APPROXIMATE WAY ONLY. THEY HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THEIR REPRESENTATIVE. THE CONTRACTOR WILL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR WILL BE FULLY RESPONSIBLE FOR ALL DAMAGES WHICH MIGHT BE CAUSED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE ALL UNDERGROUND UTILITIES.

2. IF AN EXISTING UTILITY IS FOUND TO HAVE CAUSED A CONFLICT WITH THE PROPOSED WORK, AS IN THE LOCATION, ELEVATION AND SIZE OF THE UTILITY, IT SHOULD BE ACCURATELY DETERMINED WITHOUT DELAY BY THE CONTRACTOR. THE INFORMATION SHOULD THEN BE FORWARDED TO THE ENGINEER TO RESOLVE THE CONFLICT.

3. THE CONTRACTOR SHOULD MAINTAIN A SEPARATION OF 18 INCHES MIN. WHEN CROSSING EXISTING WATER FACILITIES.

4. THE CONTRACTOR WILL MAKE ALL OF THE ARRANGEMENTS FOR THE ADJUSTMENT OF ALL UTILITIES, PRIVATE AND PUBLIC.

5. THE CONTRACTOR SHOULD NOT DISTURB PUBLIC TREES AND SHRUBS.

6. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR'S OPERATIONS WILL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION AT NO EXPENSE TO THE OWNER.

7. THE CONTRACTOR WILL BE RESPONSIBLE FOR PLACING AND MAINTAINING TEMPORARY RESURFACING OR PLATING FOR ALL EXCAVATIONS ON PAVED STREETS AND SIDEWALKS UNTIL PERMANENT RESURFACING IS COMPLETE.

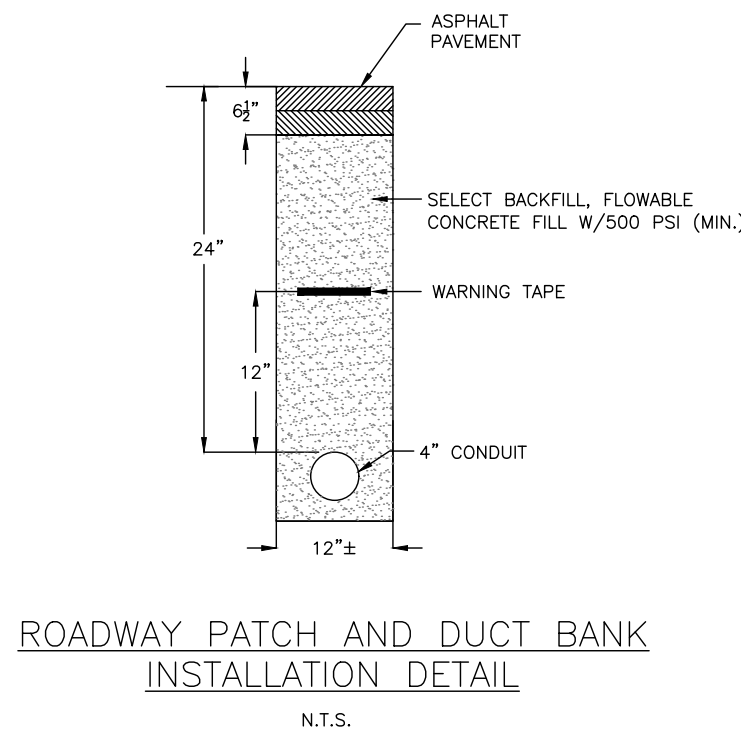
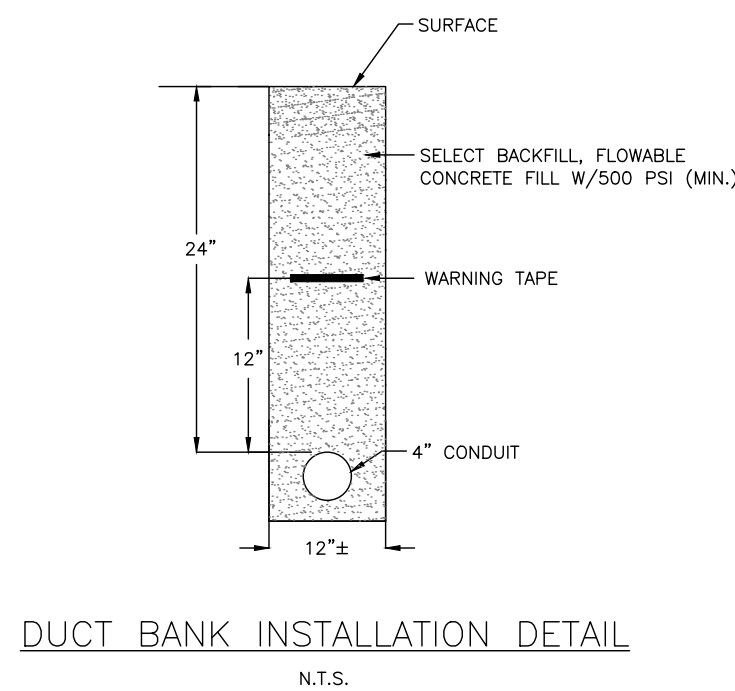
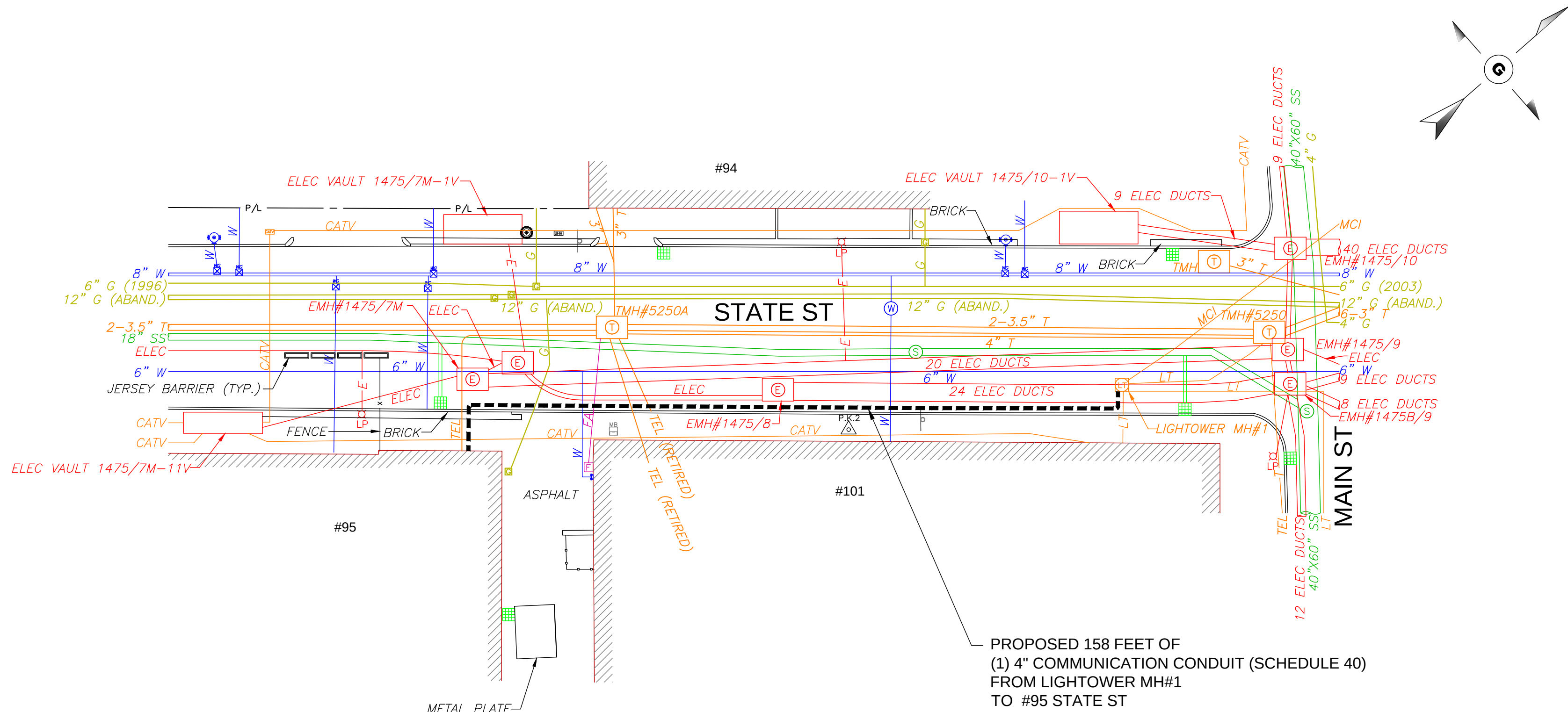
8. JOINTS BETWEEN NEW BITUMINOUS CONCRETE ROADWAY PAVEMENT AND SAW CUT EXISTING PAVEMENT SHOULD BE SEALED WITH BITUMEN AND PROPERLY BACK SANDED.

9. THE CONTRACTOR SHOULD PROTECT AND SUPPORT ALL EXISTING UTILITY LINES THAT BECOME EXPOSED DUE TO EXCAVATION.

10. THE CONTRACTOR WILL REPLACE ALL DISTURBED TRAFFIC SIGNAL LOOP DETECTORS TO A PROPER WORKING CONDITION AS REQUIRED BY THE MOST RECENT STANDARDS OF THE MUNICIPAL TRAFFIC DEPARTMENT.

11. ALL EXISTING STATE, COUNTY, CITY, TOWN LOCATION, AND PRIVATE PROPERTY LINES HAVE BEEN USED FROM AVAILABLE INFORMATION. THEIR EXACT LOCATIONS ARE NOT GUARANTEED.

12. THE CONTRACTOR WILL REPLACE ALL PAVEMENT MARKINGS IN THEIR ENTIRETY THAT HAS BEEN DAMAGED BY TRENCH EXCAVATION OR OPERATIONS USING SIMILAR COLOR AND SIZE THERMOPLASTIC MARKINGS.



- TRENCH DETAIL NOTES:
1. 24" MAXIMUM FROM TOP OF CONDUIT TO SURFACE.
 2. 12" FROM TOP OF CONDUIT TO METALLIC WARNING TAPE PLACED ABOVE.
 3. REPAIR SIDEWALKS AND WALKWAYS WITH SAME MATERIALS AS EXISTING.

1" = 20 FEET

0 20 40 60 80

UNDERGROUND SERVICE ALERT
1-888-DIG-SAFE (344-7233)
CALL BEFORE YOU DIG
72 HOURS NOTICE REQUIRED

LEGEND											
P/L	PROPERTY LINE	PK NAIL	TRAFFIC SIGNAL	SEWER MH	MBTA MH	JOINT OWNED POLE	8" W	WATER PIPE			
EOP	EDGE OF PAVEMENT	PARKING METER	TRAFFIC BOX	DRAIN MH	MONITORING WELL	SOLE OWNED ELEC POLE	8" S	SEWER PIPE			
PROPOSED HAND HOLE		DOUBLE PARKING METER	RCN MH	CATCH BASIN	HYDRANT	SOLE OWNED TEL POLE	8" D	DRAIN PIPE			
PROPOSED MANHOLE		HANDICAP RAMP	UNKNOWN MH	INLET CATCH BASIN	WATER VALVE	LIGHT POLE	8" T	TELEPHONE PIPE			
PROPOSED CONDUIT		STONE BOUND	GAS GATE	TELEPHONE MH	WATER GATE	ELETRIC MH	8" E	ELECTRIC PIPE			
AS-BUILT CONDUIT		HANDHOLE	UNKNOWN GATE	STEAM MH	WATER METER	TRANSFORMER	8" CATV	CATV PIPE			
		STUMP	TREE	CABLE MH		SIGN POLE	8" G	GAS PIPE			
			BUSH				8" STEAM	STEAM PIPE			

NOTE:

THE LOCATION OF EXISTING UNDERGROUND UTILITIES ARE SHOWN BY APPROXIMATE WAY ONLY. THEY HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR THEIR REPRESENTATIVE. THE CONTRACTOR WILL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. THE CONTRACTOR WILL BE FULLY RESPONSIBLE FOR ALL DAMAGES WHICH MIGHT BE CAUSED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE ALL UNDERGROUND UTILITIES. CONTRACTOR BE WARE THAT THE LOCATION OF UNDERGROUND STRUCTURES SHOWN ARE NOT GUARANTEED TO BE ACCURATE.

PROPOSED PLAN			
TITLE:		JOB LOCATION:	
		95 STATE ST SPRINGFIELD, MA	
PREPARED FOR:		DRAWN BY:	SR
		CHECKED BY:	RM
		APPROVED:	SC
		SCALE:	1" = 20'
		DATE:	JULY, 2017
		SHEET:	1 OF 1



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4178

ADOPTED

PETITION (ID # 4178)

CMA-Knollwood Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: July 31, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of the Columbia Gas of Massachusetts, dated July 1, 2017, to install new plastic underground gas main pipe to introduce medium pressure to the area and retire the aged low pressure cast iron main on Knollwood Street. Starting on a proposed valve on Chapin Terrace running southerly direction along Knollwood Street with a two (2") inches pipe for four hundred eight-one (481') feet to existing valve located on the west corner of Lexington Street and Knollwood Street, all as substantially shown on a plan attached with project name, KNOLLWOOD ST. PROJECT ID# 17-46205 which is incorporated herein by reference and to lay and maintain underground gas main pipes for the purpose of improvements of the system, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on July 31, 2017 at 4:20 P.M. at the corner of Knollwood Street and Chapin Terrace Springfield, MA after due notice from the office of the City Clerk. Three (3) members of the Board and one (1) persons interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the utility company can upgrade existing underground facilities in order to improve the quality of service in this area.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____)
 _____) BOARD OF PUBLIC WORKS
 _____)

RESULT:	RECEIVED PASSED
----------------	------------------------

Columbia Gas[®] of Massachusetts

A NiSource Company

JOB ORDER NUMBER (INSTALL) 17-0821080-00
JOB ORDER NUMBER (ABANDON) 17-0821081-00

PROJECT ID 17-46205
KNOLLWOOD ST - PAVING
JOB TYPE: BUDGET NAME (557 / 558)



Know what's below.
Call before you dig.

PROJECT INFORMATION

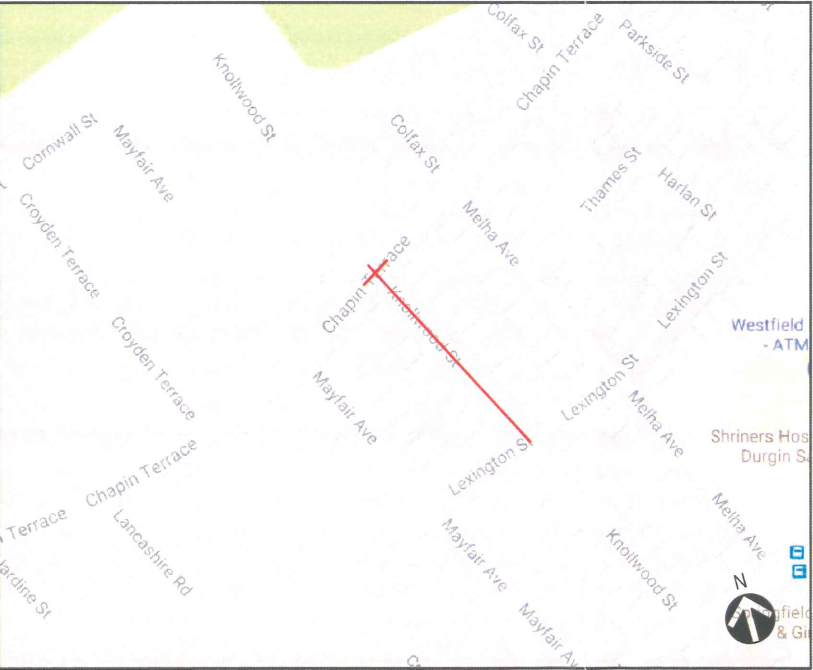
FIELD ENGINEER/TECHNICIAN: RICHARD SALVAREZZA
CONSTRUCTION FLL: MARK PARISEAU, JEFF PHILIPPE, MIKE ALIENGINA
PERMITS: CITY PERMIT
TCC: 8200
COUNTY: HAPMDEN (013)
TAX DISTRICT: 0000244
MAP NUMBER: 34
SYSTEM NUMBER(S): 80003048 (60PSIG) / 80003054(14"WC)
24 HR. EMERGENCY LINE: 1-800-525-8222

LEGEND

	EXISTING GAS MAIN		TEST WELL
	EXISTING GAS MAIN TO BE ABANDONED		REGULATOR STATION
	PROPOSED GAS MAIN		SINGLE CUSTOMER REGULATOR
	PROPOSED GAS MAIN UPRATE		METER
	COATED STEEL GAS MAIN		METER WITH REGULATOR
	CAST IRON GAS MAIN		TEST POINT (STATION)
	BARE STEEL GAS MAIN		GAS SERVICE TIE-OVER
	WROUGHT IRON GAS MAIN		GAS SERVICE REPLACEMENT
	HIGH DENSITY POLYETHYLENE GAS MAIN		METER MOVE OUT
	MEDIUM DENSITY POLYETHYLENE GAS MAIN		TELEPHONE MANHOLE
	LOW PRESSURE		DRAIN MANHOLE
	INTERMEDIATE PRESSURE		ELECTRIC MANHOLE
	MEDIUM PRESSURE		CATCH DRAIN
	HIGH PRESSURE		SEWER MANHOLE
	ATTACHED		FIRE HYDRANT
	BRIDGE HANGER		UTILITY POLE
	BUILDING HANGER		WETLAND
	DIRECTIONAL BORE		GAS VALVE
	INSERTED		CRITICAL GAS VALVE
	OPEN CUT		PRESSURE CONTROL FITTINGS
	PNEUMATIC BORE		TRANSITION
	PLOWED		END CAP
	ROOF TOP		REDUCER
	EXISTING		ELECTRONIC MARKER
	PROPOSED		FLUSH-MOUNTED TRACER WIRE STATION
	WELD LOCATION		POST PIPELINE MARKER WITH TRACER WIRE
	GAS MAIN TIE IN LOCATION		
	GAS MAIN ABANDONMENT LOCATION		

VICINITY MAP

SCALE: N.T.S.



PROJECT DESCRIPTION

REPLACE MAIN DUE TO MUNICIPAL PAVING

SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
L-1 - L-2	LAYOUT PLANS
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
521'	2"	PHMP	415'	6"	CILP
64'	4"	PHMP	13'	6"	PHLP
585'	TOTAL INSTALLATION (FEET)		428'	TOTAL ABANDONMENT (FEET)	
PROPOSED GAS SERVICES					
	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS	
ESTIMATED GAS SERVICES	14	3	17	20	

GENERAL NOTES

- THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
- PROPERTY LINES, STRUCTURES, STREET LINES, ETC. WERE COMPILED USING THE COLUMBIA GAS GIS DATABASE AND ARE TO BE CONSIDERED APPROXIMATE.
- EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.
- PROPOSED OR COMPLETED INSTALLATION LOCATION REFERENCES MAY BE INDICATED BY A COMBINATION OF THE FOLLOWING CODES: F - FRONT, BK - BACK, L - LEFT, R - RIGHT, B - BUILDING EDGE, CEL - CENTER OF EASTBOUND LANE, CLP - CENTER OF PAVEMENT, CLR - CENTER OF RIGHT-OF-WAY, CNL - CENTER OF NORTHBOUND LANE, CSL - CENTER OF SOUTHBOUND LANE, CU - CURB, CWL - CENTER OF WESTBOUND LANE, D - DRIVEWAY EDGE, EP - EDGE OF PAVEMENT, ES - EDGE OF SIDEWALK, PL - PROPERTY LINE.

PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	06/29/2017	SUBMITTED FOR REVIEW

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DRAWN BY	RAS	06/29/2017	413-302-5853
CHECKED BY	BJM	06/30/2017	413-326-0636
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:

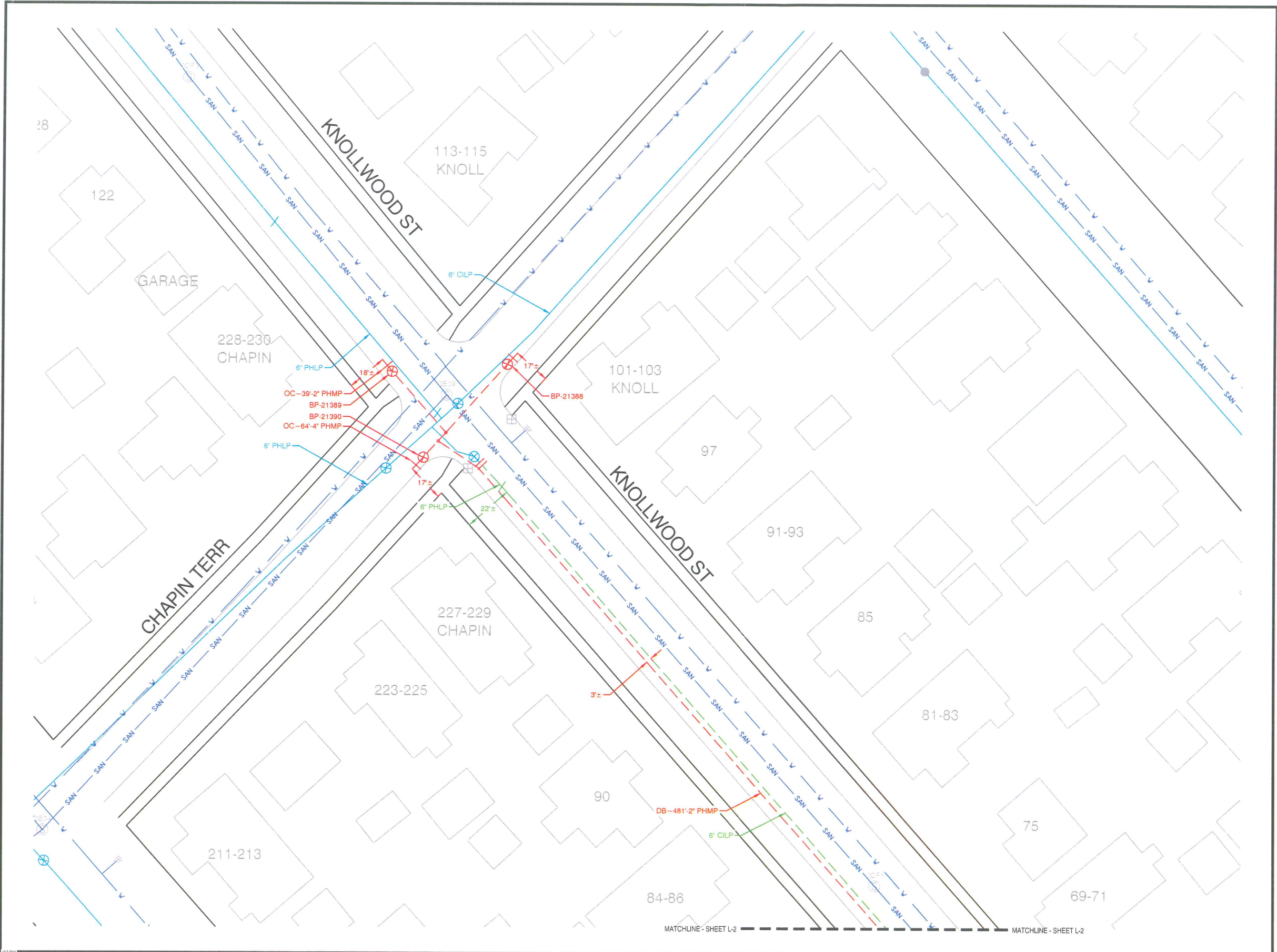
JO# 17-0821080-00
JO# 17-0821081-00
PROJECT ID# 17-46205
KNOLLWOOD ST - PAVING
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

TITLE SHEET

DRAWING NO:

T-1

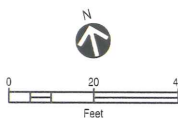




A NiSource Company



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0 20 40
Feet

PROPOSED

REVISIONS			
REV. #	DATE	DESCRIPTION	
0	06/29/2017	SUBMITTED FOR REVIEW	

DESIGNED BY	RAS	06/29/2017	413-302-5853
DRAWN BY	RAS	06/29/2017	413-302-5853
CHECKED BY	BJM	06/30/2017	413-326-0636
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:

JO# 17-0821080-00
JO# 17-0821081-00
PROJECT ID# 17-46205
KNOLLWOOD ST - PAVING
SPRINGFIELD, HAMPDEN

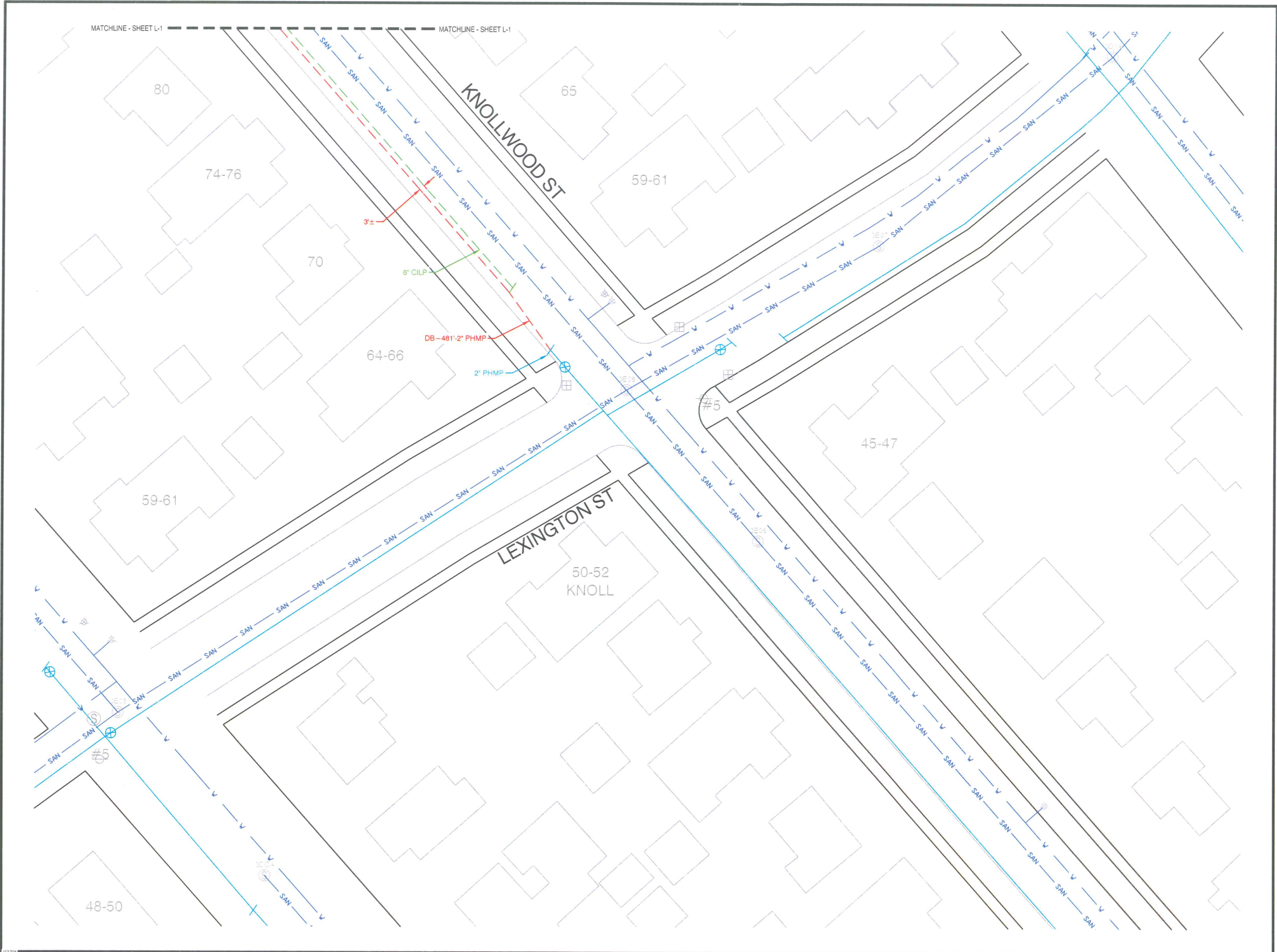
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LAYOUT SHEET

DRAWING NO:

L-1

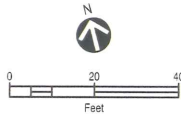
Attachment: Knollwood Plan (4178 : CMA-Knollwood Street)



Columbia Gas
of Massachusetts
A NiSource Company



Know what's below.
Call before you dig.



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	06/29/2017	SUBMITTED FOR REVIEW

DESIGNED BY	RAS	06/29/2017	413-302-5853
DRAWN BY	RAS	06/29/2017	413-302-5853
CHECKED BY	BJM	06/30/2017	413-326-0636
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:

JO# 17-0821080-00
JO# 17-0821081-00
PROJECT ID# 17-46205
KNOLLWOOD ST - PAVING
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

LAYOUT SHEET

DRAWING NO:

L-2

AS-BUILT NOTES
(TO BE COMPLETED DURING CONSTRUCTION)



Know what's below.
Call before you dig.

PROPOSED

REVISIONS

0	06/29/2017	SUBMITTED FOR REVIEW
REV. #	DATE	DESCRIPTION

DESIGNED BY	RAS	06/29/2017	413-302-5853
DRAWN BY	RAS	06/29/2017	413-302-5853
CHECK'D BY	BJM	06/30/2017	413-326-0636
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:

JO# 17-0821080-00
JO# 17-0821081-00
PROJECT ID# 17-46205
KNOLLWOOD ST - PAVING
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

CONSTRUCTION DETAILS

DRAWING NO:

D-1



July 1st, 2017

Honorable Mayor and City Council
City of Springfield
City Hall
Court Street
Springfield, MA 01103

ATTN: Mr. Anthony Wilson, City Clerk

Ladies & Gentlemen:

Knollwood St Project:

Columbia Gas of Massachusetts (CMA) hereby requests that it be granted a location for and permission to install and replace underground gas facilities within a section of the Liberty Heights Neighborhood (as seen in the attached plan). Work will extend to the following streets in varying degrees/durations:

- Knollwood St
- Chapin Terrace

This Project will introduce medium pressure gas to the area and retire the aged cast iron low pressure natural gas infrastructure. All proposed work by CMA will include such laterals and service connections as it may now or subsequently find necessary. This project is being done in order to eliminate cast iron mains within the limits of proposed Springfield DPW paving.

Sincerely,

Richard Salvarezza

Field Engineer
Columbia Gas of Massachusetts
2025 Roosevelt Avenue
Springfield, MA 01104
Cell: 413-302-5853
Office: 413-784-2209
Fax: 413-732-7393
Email: rsalvarezza@nisource.com

RECEIVED
JUL 11 11:36 AM
CITY CLERK'S OFFICE
SPRINGFIELD, MA

Attachment: Petition Knollwood (4178 : CMA-Knollwood Street)



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4179

ADOPTED

PETITION (ID # 4179)

CMA- Woodlawn Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: August 2, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of the Columbia Gas of Massachusetts, dated May 4, 2017, to install underground gas main pipe to introduce media pressure gas to the area and retire the aged low pressure cast iron main within the Right of Way along Woodlawn Street, Taft Street, Washington Street, Carlton Street and Blake Street. Starting on Belmont Avenue from proposed valve of two (2") inches located near the westerly corner of Woodlawn Street and Belmont Avenue running with two (2") inches pipe on Woodlawn Street four hundred fifty (450') feet to install six (6") inches valve on Washington Street and Taft Street and continue on Woodlawn Street to continue with (2") inches pipe two hundred eighty (280') feet to install two (2") inches pipe along Carlton Street and continue on Woodlawn Street for nine hundred forty two (942') feet to Blake Street to install two hundred thirty (230') feet of two (2") inches pipe, all as substantially shown on a plan attached with project name, Woodlawn Street SWSC PROJECT ID # 17-43724 which is incorporated herein by reference and to lay and maintain underground gas main pipes for the purpose of improvements of the system, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 2, 2017 at 4:20 P.M. at the corner of Carlton Street and Woodlawn in Springfield, MA after due notice from the office of the City Clerk. Three (3) members of the Board and one (1) persons interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the utility company can upgrade existing underground facilities in order to improve the quality of service in this area.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____))
_____)) BOARD OF PUBLIC WORKS
_____))

RESULT: RECEIVED PASSED



May 4th, 2017

Honorable Mayor and City Council
City of Springfield
City Hall
Court Street
Springfield, MA 01103

ATTN: Mr. Anthony Wilson, City Clerk

Ladies & Gentlemen:

Columbia Gas of Massachusetts (CMA) hereby requests that it be granted a location for and permission to install and replace underground gas facilities within a section of Woodlawn Street (as seen in the attached plan). Work will extend to the following streets in varying degrees/durations:

- Woodlawn Street
- Taft Street
- Washington Street
- Carlton Street
- Blake Street

This Project will introduce medium pressure gas to the area and retire the aged cast iron low pressure natural gas infrastructure. All proposed work by CMA will include such laterals and service connections as it may now or subsequently find necessary. This project is being done to eliminate the existing natural gas infrastructure before paving takes place on Woodlawn Street.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Ryan Barnes', written over a horizontal line.

Ryan Barnes
Field Engineer
Columbia Gas of Massachusetts
2025 Roosevelt Avenue
Springfield, MA 01104
Cell: 413-262-3563
Office: 413-784-2216
Fax: 413-732-7393
Email: rbarnes@nisource.com

Attachment: Petition Woodlawn (4179 : CMA- Woodlawn Street)

Columbia Gas[®] of Massachusetts

A NiSource Company

JOB ORDER NUMBER (INSTALL) 17-0829490-00

JOB ORDER NUMBER (ABANDON) 17-0829491-00

PROJECT ID 17-43724

WOODLAWN STREET, PROJECT

JOB TYPE: 557 / 558

Columbia Gas[®]
of Massachusetts
A NiSource Company



Know what's below.
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PROPOSED

PROJECT INFORMATION

FIELD ENGINEER/TECHNICIAN: RYAN BARNES
CONSTRUCTION FLL: MARK PARISEAU
PERMITS: CITY PERMIT
TCC: 8200
COUNTY: HAMPDEN (013)
TAX DISTRICT: 0000244
MAP NUMBER: 42
SYSTEM NUMBER(S): 80003048 & 80003054
24 HR. EMERGENCY LINE: 1-800-525-8222

LEGEND

CS	EXISTING GAS MAIN	W	WELD LOCATION
CI	EXISTING GAS MAIN TO BE ABANDONED	T1	GAS MAIN TIE IN LOCATION
BS	PROPOSED GAS MAIN	A1	GAS MAIN ABANDONMENT LOCATION
WI	PROPOSED GAS MAIN UPRATE		
PH	COATED STEEL GAS MAIN		
PM	CAST IRON GAS MAIN		
LP	BARE STEEL GAS MAIN		
IP	WROUGHT IRON GAS MAIN		
MP	HIGH DENSITY POLYETHYLENE GAS MAIN		
HP	MEDIUM DENSITY POLYETHYLENE GAS MAIN		
AT	LOW PRESSURE		
BH	INTERMEDIATE PRESSURE		
BH	MEDIUM PRESSURE		
BH	HIGH PRESSURE		
BH	ATTACHED		
BH	BRIDGE HANGER		
BH	BUILDING HANGER		
BH	DIRECTIONAL BORE		
BH	INSERTED		
BH	OPEN CUT		
BH	PNEUMATIC BORE		
BH	PLOWED		
BH	ROOF TOP		
BH	EXISTING		
BH	PROPOSED		
	TEST WELL		
	REGULATOR STATION		
	SINGLE CUSTOMER REGULATOR		
	METER		
	METER WITH REGULATOR		
	TEST POINT (STATION)		
	GAS SERVICE TIE-OVER		
	GAS SERVICE REPLACEMENT		
	METER MOVE OUT		
	TELEPHONE MANHOLE		
	DRAIN MANHOLE		
	ELECTRIC MANHOLE		
	CATCH DRAIN		
	SEWER MANHOLE		
	FIRE HYDRANT		
	UTILITY POLE		
	WETLAND		
	GAS VALVE		
	CRITICAL GAS VALVE		
	PRESSURE CONTROL FITTINGS		
	TRANSITION		
	END CAP		
	REDUCER		
	ELECTRONIC MARKER		
	FLUSH-MOUNTED TRACER WIRE STATION		
	POST PIPELINE MARKER WITH TRACER WIRE		

VICINITY MAP



PROJECT DESCRIPTION

REPLACE 3,400' OF 6" CI LP ON WOODLAWN STREET, BLAKE STREET AND CARLTON STREET WITH 2,400' OF 2" PH MP GAS MAIN. THIS PROJECT ALSO INVOLVES THE INSTALLATION OF TWO LP JUMPERS ON WOODLAWN STREET MADE UP OF 175' OF 6" PH LP GAS MAIN.

SHEET INDEX

DWG.	DESCRIPTION
T-1	TITLE SHEET
O-1	OVERVIEW SHEET
L-1 - L-3	LAYOUT PLANS
D-1	CONSTRUCTION DETAILS

PROJECT SUMMARY TABLE

PROPOSED INSTALLATION			PROPOSED ABANDONMENT		
LENGTH (FT)	SIZE (IN)	TYPE	LENGTH (FT)	SIZE (IN)	TYPE
2,400'	2"	PH MP	3,400'	6"	CI LP
175'	6"	PH LP			
2,575'	TOTAL INSTALLATION (FEET)		3,400'	TOTAL ABANDONMENT (FEET)	
PROPOSED GAS SERVICES					
	REPLACEMENTS	TIE OVERS	TOTAL SERVICES	METER OUTS	
ESTIMATED GAS SERVICES	72	7	79	87	

GENERAL NOTES

- THE PROPOSED GAS MAIN SHOWN IS APPROXIMATE AND SUBJECT TO CHANGE.
- PROPERTY LINES, STRUCTURES, STREET LINES, ETC. WERE COMPILED USING THE COLUMBIA GAS GIS DATABASE AND ARE TO BE CONSIDERED APPROXIMATE.
- EXISTING UTILITIES, WHERE SHOWN, HAVE BEEN COMPILED FROM ABOVE GROUND EVIDENCE ONLY AND ARE TO BE CONSIDERED APPROXIMATE. COLUMBIA GAS DOES NOT GUARANTEE THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN OR THAT ALL EXISTING UTILITIES AND/OR SUBSURFACE STRUCTURES ARE SHOWN.
- PROPOSED OR COMPLETED INSTALLATION LOCATION REFERENCES MAY BE INDICATED BY A COMBINATION OF THE FOLLOWING CODES: F - FRONT, BK - BACK, L - LEFT, R - RIGHT, B - BUILDING EDGE, CEL - CENTER OF EASTBOUND LANE, CLP - CENTER OF PAVEMENT, CLR - CENTER OF RIGHT-OF-WAY, CNL - CENTER OF NORTHBOUND LANE, CSL - CENTER OF SOUTHBOUND LANE, CU - CURB, CWL - CENTER OF WESTBOUND LANE, D - DRIVEWAY EDGE, EP - EDGE OF PAVEMENT, ES - EDGE OF SIDEWALK, PL - PROPERTY LINE.

SITE NAME:

JO# 17-0829490-00
JO# 17-0829491-00
PROJECT ID# 17-43724
WOODLAWN STREET PROJECT
SPRINGFIELD, HAMPDEN

DRAWING TITLE:

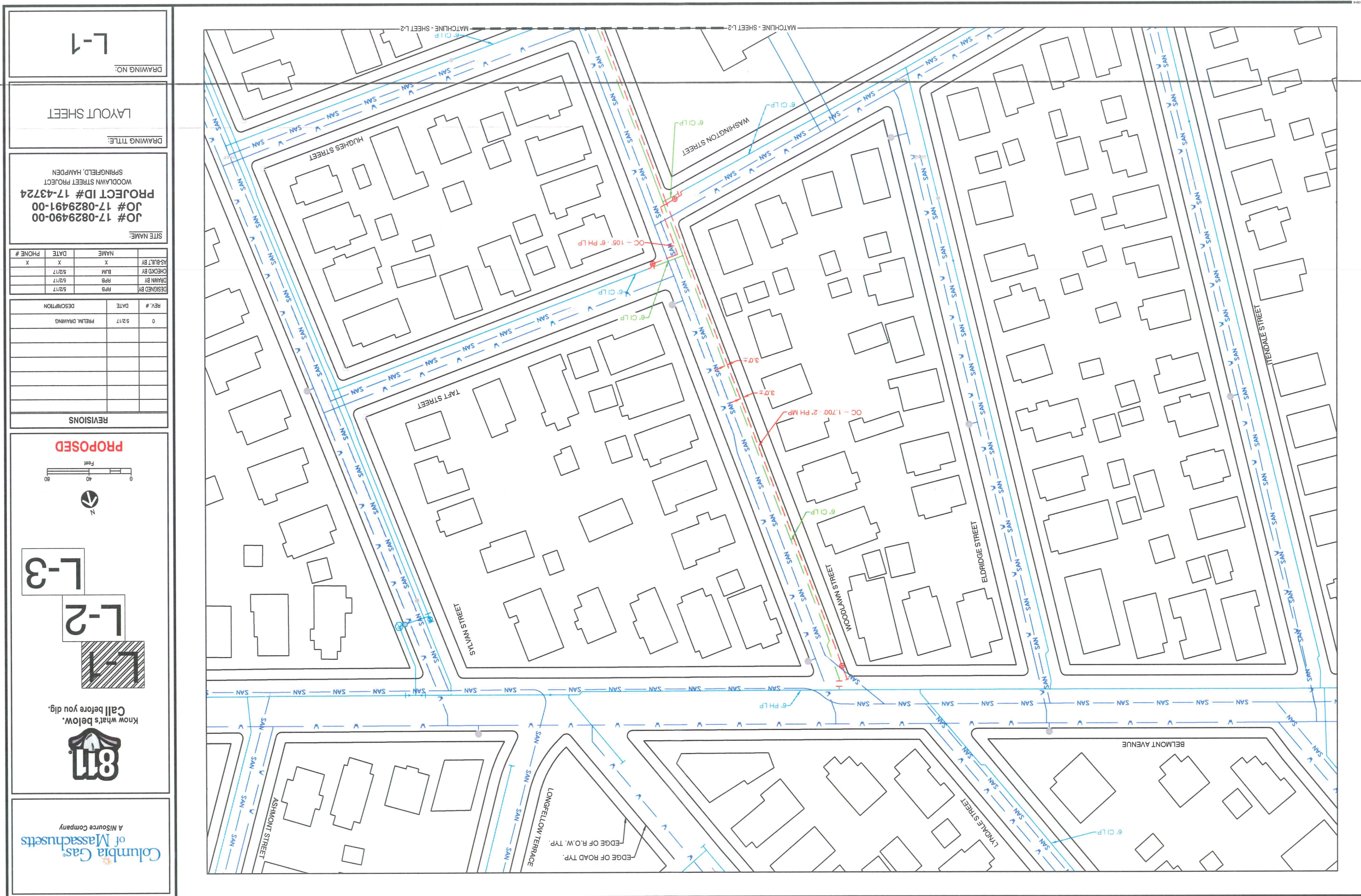
TITLE SHEET

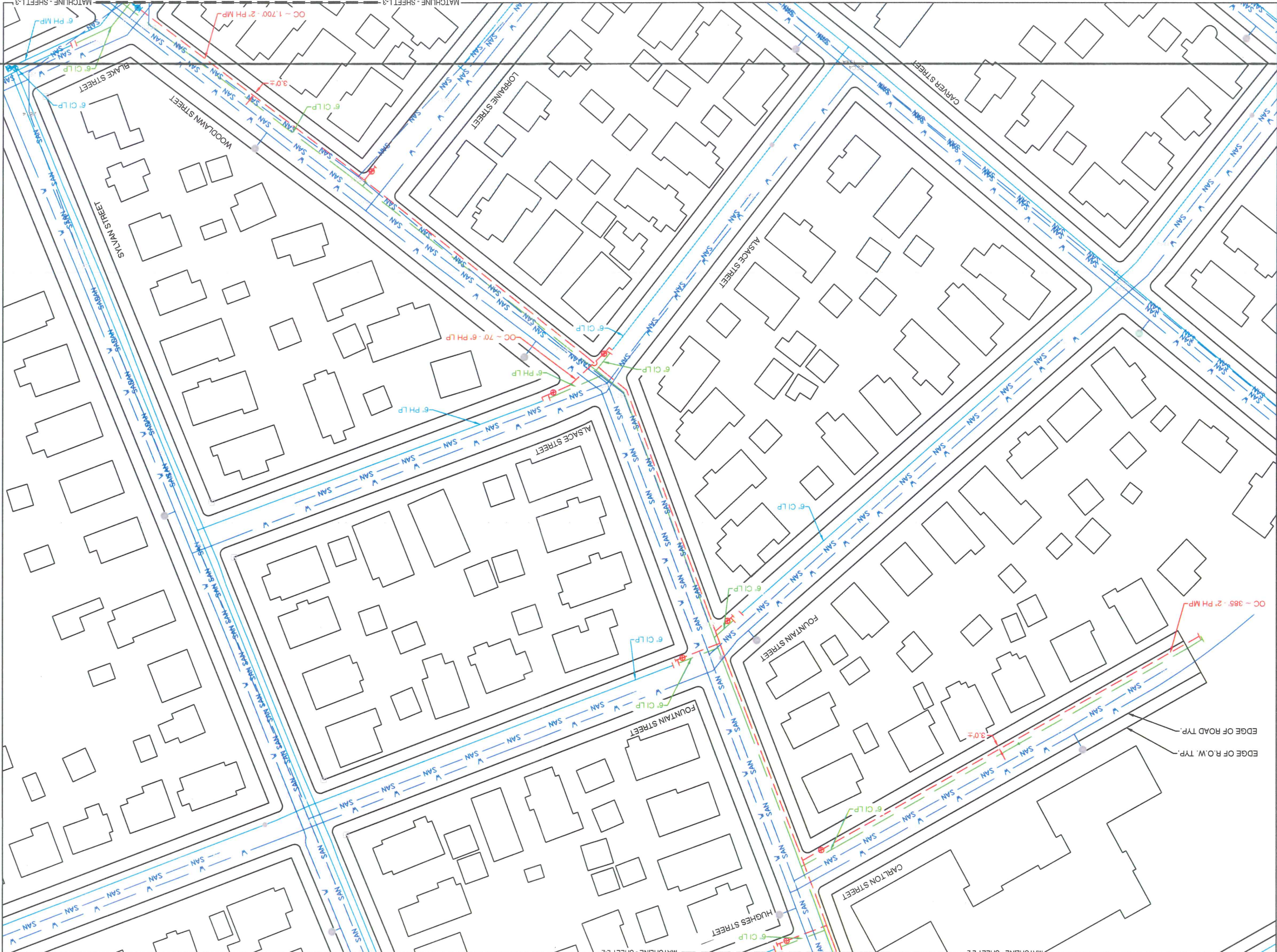
DRAWING NO:

T-1



Attachment: Woodlawn plan (4179 : CMA - Woodlawn Street)





L-2

DRAWING NO:

LAYOUT SHEET

DRAWING TITLE:

JO # 17-0829490-00
JO # 17-0829491-00
PROJECT ID # 17-43724
WOODLAWN STREET PROJECT
SPRINGFIELD, HAMPSHIRE

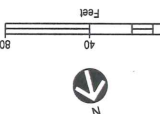
SITE NAME:

NAME	DATE	PHONE #
X	X	X
BUM	5/2/17	
RPB	5/2/17	
RPB	5/2/17	

REV. #	DATE	DESCRIPTION
0	5/2/17	PRELIM. DRAWING

REVISIONS

PROPOSED



3-

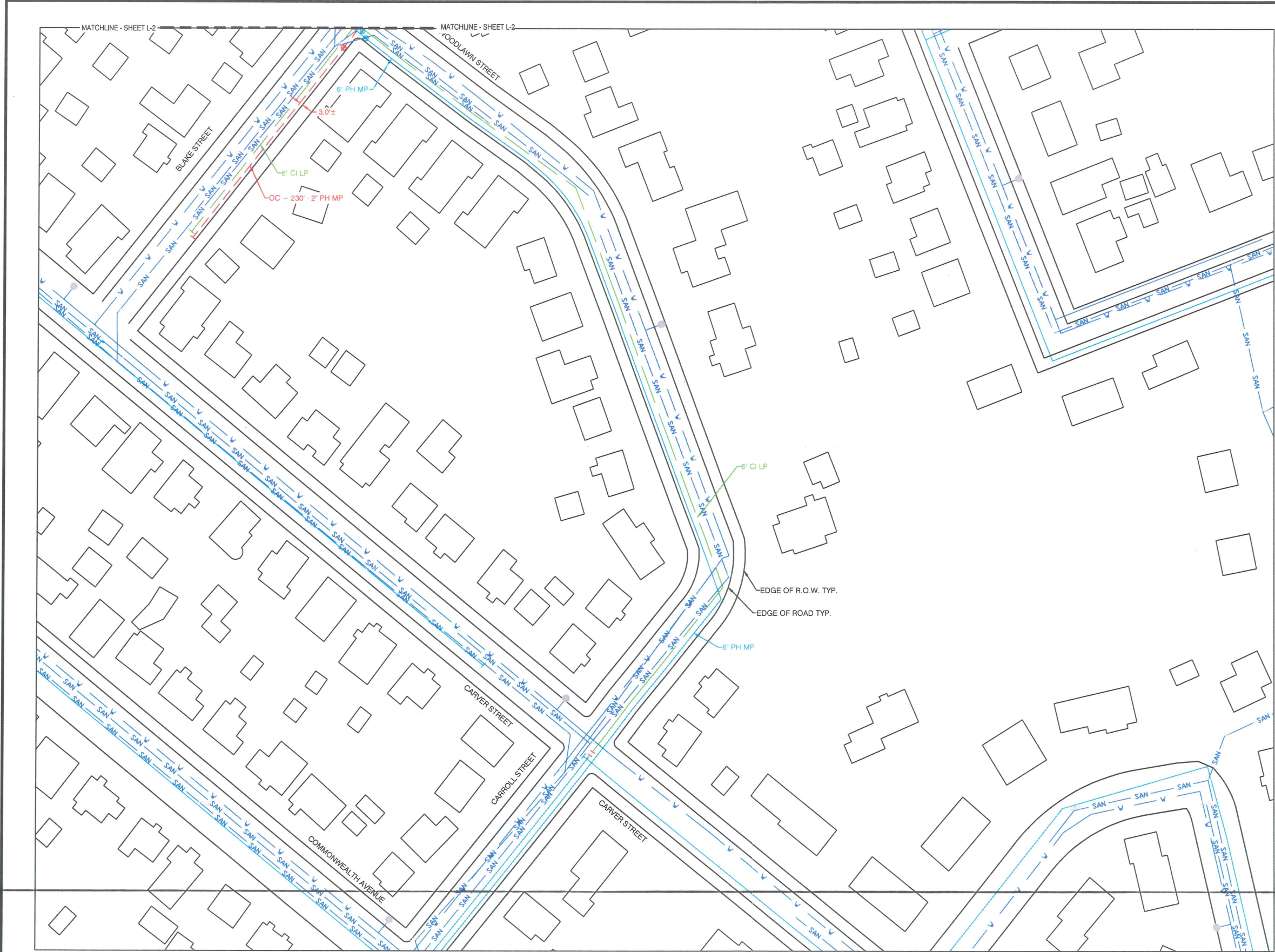
1-2

15

Call now what's below.
Call before you dig.



Columbia Gas
of Massachusetts
A NiSource Company



Columbia Gas
of Massachusetts
A NiSource Company

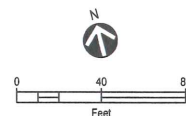


Know what's below.
Call before you dig.

L-1

L-2

L-3



PROPOSED

REVISIONS

REV. #	DATE	DESCRIPTION
0	5/2/17	PRELIM. DRAWING

DESIGNED BY	RFB	5/2/17	
DRAWN BY	RFB	5/2/17	
CHECKED BY	BJM	5/2/17	
AS-BUILT BY	X	X	X
	NAME	DATE	PHONE #

SITE NAME:
JO# 17-0829490-00
JO# 17-0829491-00
PROJECT ID# 17-43724
WOODLAWN STREET PROJECT
SPRINGFIELD, HAMPDEN

DRAWING TITLE:
LAYOUT SHEET

DRAWING NO:
L-3

Attachment: Woodlawn plan (4179 : CMA - Woodlawn Street)



City Council
36 Court Street
Springfield, MA 01103

ADOPTED

PETITION (ID # 4180)

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4180

Comcast- Allen Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: August 2, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of Comcast of Massachusetts LL dated March 10, 2017, to install five hundred fifty (550') feet of 4" PVC conduit with fiber optic and coax cable on Allen Street , beginning at the proposed Comcast vault, to be located on the sidewalk by pole #22 on the east of Davidson Street running northerly direction with 4" conduit to Allen Street and turn westerly to run on the sidewalk three hundred fifty (350') feet to a proposed Comcast vault to be located on the south sidewalk of Allen Street in front of house #320-322 Allen Street, all as substantially shown on a plan attached, dated 7/14/2017, which is incorporated herein by reference and to lay and maintain underground cables and Fiber Optic lines in public ways for the purpose of provide service to the area, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 2, 2017 at 4:00 P.M. at the corner of Kimberly Ave. and Allen Street in Springfield, MA, after due notice from the office of the City Clerk. Three (3) members of the Board and one (1) person interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the company can improve the service in the area.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better. Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That all proposed silo, manhole and hexhole covers will conform to and be compatible with established street, treebelt or sidewalk grades with suitable non-skid covers when in the sidewalk area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That asphalt trench restoration be done in accordance with the City of Springfield DPW requirements.

That all conditions set forth in the respective order are complied with.

_____))
_____)) BOARD OF PUBLIC WORKS
_____))

RESULT: RECEIVED PASSED



7/14/17

Honorable Mayor and City Council
City of Springfield
City Hall
Court Street
Springfield, MA 01103

ATTN: Anita Cotter, City Clerk

Gentlemen:

Comcast of Massachusetts II, Inc. hereby requests that it be granted a location for and permission to run and maintain 550' of **4" conduit with Fiber Optic Line & Coax Cable on Allen St** (from existing Comcast U/G vault by 320 Allen St.) Together with such connections as it may now or subsequently find necessary.

Said plant installation is to be installed in accordance with the enclosed plan.

Thank you for your attention to this matter.

Sincerely,

Raymond S. LaBorde Jr

Enc.

Attachment: Petition Allen (4180 : Comcast- Allen Street)

Allen St-Springfield Construction Details

- Install 1 Sch. 40 PVC conduit from existing Comcast Quazite vault 550' East to the sidewalk by pole# 22 on Davidson St. and install new 30"x48"x26" Quazite vault.
- Replace existing Quazite vault in front of #320 Allen St to a 30"x48"x26"
- Install 1 Sch.40 PVC conduit from new Quazite vault 3' to pole#22 on Davidson St.
- Main trench to be located in sidewalk 2'-3' from southern curb line.
- All trench area and sidewalks to be restored to City of Springfield specifications.
- Trench Line moved to sidewalk because of several traffic loops and violations of existing utilities in roadway.



City Council
36 Court Street
Springfield, MA 01103

ADOPTED

PETITION (ID # 4181)

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4181

Verizon- Cadwell Drive

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: August 7, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of Verizon New England dated July 17, 2017 place 1-4" conduit on Cadwell Drive for the distribution of data communication. Beginning at existing pole # 13X, located on the westerly side of Cadwell Drive, and then running in a southerly direction a distance of approximately twenty-nine (29') feet to a point, then continuing in an easterly direction across Cadwell Drive a distance of approximately thirty-eight (38') feet to a point on the easterly side of Cadwell Drive, all as substantially shown on a plan attached referred to Cadwell Drive No 1A2K4XF, which is incorporated herein by reference and to lay and maintain underground laterals, cables and wires in the above public ways for the purpose of making connections with the pole as it may desire for distributing purposes, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 7, 2017 at 4:00 P.M. in front of 300 Cadwell Drive (Eversource) in Springfield, MA. Two (2) members of the Board and one (1) persons interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary for the distribution of data and telecommunication.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____)
 _____) BOARD OF PUBLIC WORKS
 _____)

RESULT:	RECEIVED PASSED
----------------	------------------------

Albert E. Bessette
Right of Way Manager



365 State Street
Springfield, MA 01105

Phone 413 787-0310
Cell 413 441-3612
Fax 413 734-9123
albert.e.bessette.jr@verizon.com

July 17, 2017

Springfield City Council
Springfield City Hall
36 Court Street
Springfield, MA 01103

**RE: Petition for Verizon job # 1A2K4XF
Cadwell Drive, Springfield**

Dear Honorable City Council:

Enclosed find the following items in support of the above-referenced project:

1. Petition;
2. Petition Plan;
3. Order;
4. Abutter Notice Cards.

A Public Hearing and notice to abutters is required. A Verizon representative will attend the Public Hearing. Should any questions or comments arise concerning this matter prior to the hearing, please contact me at (413) 787-0310. Your assistance is greatly appreciated.

Sincerely,

Albert E. Bessette, Jr.
Right of Way Manager

Enc

Attachment: Cadwell petition (4181 : Verizon- Cadwell Drive)

PETITION FOR CONDUIT LOCATION

REVISED

Springfield, Massachusetts, dated June 5, 2017

To the City Council of the City of Springfield, Massachusetts

VERIZON NEW ENGLAND, INC. requests permission to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways:

CADWELL DRIVE: Place one (1) four (4) inch conduit on Cadwell Drive beginning at existing Pole 13X, located on the westerly side of Cadwell Drive, and then running in a southerly direction a distance of approximately twenty-nine (29) feet to a point, then continuing in an easterly direction across Cadwell Drive a distance of approximately thirty-eight (38) feet to a point on the easterly side of Cadwell Drive.

Reason: Place conduit to provide for the distribution of intelligence and telecommunications.

Also for permission to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Plan marked – “Verizon No. 1A2K4XF,” dated May 19, 2017, showing location of conduit to be constructed is filed herewith.

VERIZON NEW ENGLAND, INC.

By


Albert Benedetto
Manager-Right of Way

A true copy of a petition referred to the Board of Public Works on:

August 7, 2017

Attest:

City Clerk



Attachment: Cadwell petition (4181 : Verizon- Cadwell Drive)

AUG 07 2017 11:41 FR VERIZON ENG

4137348219 TO 14137876502

P.03/04

ORDER FOR CONDUIT LOCATION**REVISED**

By the City Council of the City of Springfield, Massachusetts
 Notice having been given and a public hearing held, as provided by law, IT IS HEREBY ORDERED:

That permission be and hereby is granted to **VERIZON NEW ENGLAND, INC.** to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in Petition of said Company dated the 5th day of June, 2017.

CADWELL DRIVE: Place one (1) four (4) inch conduit on Cadwell Drive beginning at existing Pole 13X, located on the westerly side of Cadwell Drive, and then running in a southerly direction a distance of approximately twenty-nine (29) feet to a point, then continuing in an easterly direction across Cadwell Drive a distance of approximately thirty-eight (38) feet to a point on the easterly side of Cadwell Drive.

Reason: Place conduit to provide for the distribution of intelligence and telecommunications.

Substantially as shown on plan marked - "Verizon No. 1A2K4XF," dated May 19, 2017, filed with said petition.

Also that permission be and hereby is granted said **VERIZON NEW ENGLAND INC.** to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connection with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be such material and construction and all work done in such manner as to be satisfactory to such municipal officers as may be appointed to the supervision of the work.
2. In every underground main line conduit constructed by said Company hereunder, one duct not less than three inches in diameter shall be reserved and maintained free of charge for the use of the fire and police telephone and telegraph signal wires belonging to the City and used by it exclusively for municipal purposes.
3. Said Company shall indemnify and save the Town harmless against all damages, costs and expense whatsoever to which it may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
4. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Ten Thousand Dollars (\$10,000) (reference being had to the bond on file with said City) conditioned for the faithful performance of its duties under this permit.
5. Said Company shall comply with the requirements of existing ordinances and such as May hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

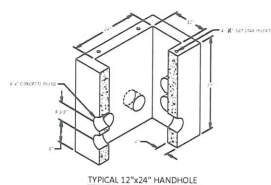
I hereby certify that the order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on _____ day of _____ 2017.

 City Clerk

Attachment: Cadwell petition (4181 : Verizon- Cadwell Drive)

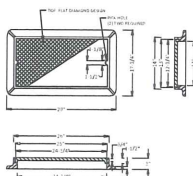
GENERAL NOTES

- [illegible]



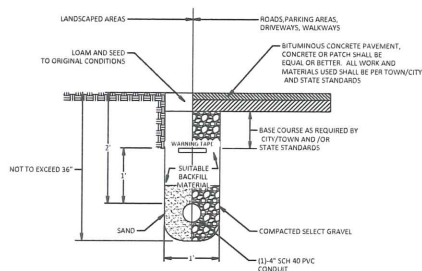
TYPICAL 12"x24" HANDHOLD

MUST MEET OR EXCEED ALL
STATE, LOCAL DOT REGS. FOR
ROADWAY LOADINGS



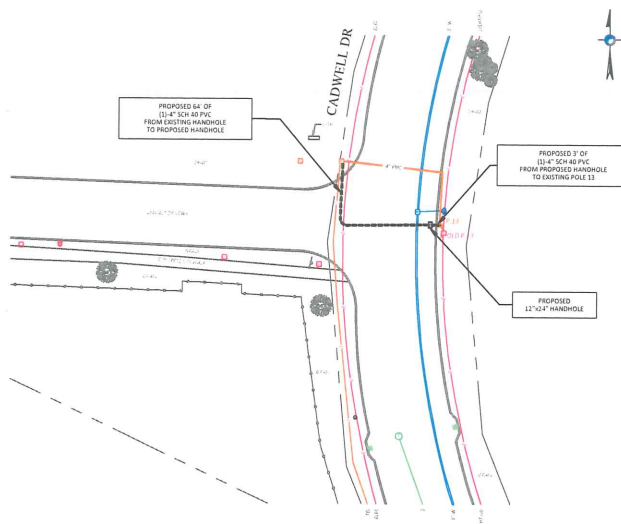
12" X 24" HANDHOLE FRAME AND COVER

AASHTO H20 LOAD RATES

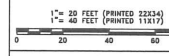


PROPOSED DUCT CONFIGURATION

NTS



UTILITY POLE



LEGEND

[illegible]

NOTE:
EXISTING UTILITIES SHOWN ARE APPROXIMATE
WARRANTED TO BE CORRECT. THE CONTRACTOR
VERIFY THE LOCATION OF ALL PUBLIC AND PRIVATE
UTILITIES PRIOR TO BEGINNING ANY EXCAVATION.



 CALL BEFORE YOU DIG
UNDERGROUND SERVICE AVAILABLE
72 HOURS NOTICE REQUIRED
ENTER 1-888-DIG-SAFE

PREPARED BY

UC SYNERGISTIC
Professional Consulting Engineering Solutions

71 Old Creek Rd
MANYWOOD, PA 17048

www.utsyn.com 1-800-327-8800

PREPARED FOR	
--------------	--

verizon

Version	

REV #	DESCRIPTION	

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CADWELL DR

SPRINGFIELD, MA
VERGON - PETIT EN PLAN

SURVEYED BY: UCS ENGINEERING	PRINT NO: 3 OF 5
------------------------------	------------------

DRAWN BY: AYV	SCALE: AS NOTED
---------------	-----------------

DATE: 05/19/17	A-1-EJECT:
----------------	------------



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4182

ADOPTED

PETITION (ID # 4182)

Eversource- Pine Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: August 9, 2017

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition #6261 of Everesource Electric Company dated June 6, 2017 to install 4-3" conduits from existing duct bank to new pad mounted transformer, starting at existing duct bank located in the east side of Pine Street approximately ninety (90') feet from the corner of Central Street, with 4-3" PVC conduit in westerly direction across Pine Street thirty three (33') feet to a proposed pad mounted transformer to be located on property #263 Central Street, all as substantially shown on a plan attached, referred to numbered #6261, which is incorporated herein by reference and to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with the pole as it may desire for distributing purposes, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 9, 2017 at 4:00 P.M. in front of house #216 Pine Street (empty lot) Springfield, MA. Two (2) members of the Board and one (1) persons interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary to improve the quality and reliability of the service for the costumers.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better.

Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That due care be exercised not to unnecessarily damage any public shade trees located within the construction area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

That all conditions set forth in the respective order are complied with.

_____)
 _____) BOARD OF PUBLIC WORKS
 _____)

RESULT:	RECEIVED PASSED
----------------	------------------------

PETITION TO INSTALL AND MAINTAIN UNDERGROUND
LINES
FOR THE TRANSMISSION OF ELECTRICITY

To the City Council of Springfield, Massachusetts:

EVERSOURCE prays that after due notice and a hearing as provided by the law it may be granted permission to install and maintain below the surface of the ground in the public way hereinafter named, a line or lines for the transmission of electricity consisting of conduits located as shown upon the plan filed herewith and made a part hereof together with the necessary wires, cables, transformers, switches, protective devices and other appurtenances, and likewise the manhole and vault construction connected with said lines as indicated by said plan marked:

The following is the public way above referred to:

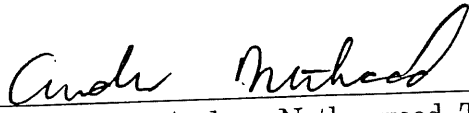
PINE STREET

INSTALL 4-3" CONDUITS CONCRETE ENCASED FROM EVERSOURCE'S EXISTING DUCT BANK TO A NEW PAD MOUNTED TRANSFORMER ON THE CUSTOMER'S PROPERTY. THIS NEW TRANSFORMER IS FOR THE NEW SERVICE AT 263 CENTRAL STREET. EXTEND THE EXISTING 4-4" CONDUITS TO AN EXISTING MANHOLE ON PINE STREET. REMOVE SILO AND HEXHOLE IN SIDEWALK

Drawing #6261

Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

EVERSOURCE

By 
Andrew Netherwood, Technician
Phone 413-787-9553

Dated this 6th day of June 2017.

A true copy of a petition referred to the Board of Public Works on:

June 14, 2017

Attest:

Anthony I Wilson, Esquire

Attachment: Pine St. #6261 (4182 : Eversource- Pine Street)

ORDER OF LOCATION FOR UNDERGROUND LINES FOR THE TRANSMISSION OF ELECTRICITY

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That Eversource, be and it is hereby granted a location for and permission to install and maintain below the surface of the ground in the public way hereinafter named, a line or lines for the transmission of electricity consisting of conduits located as shown upon the plan hereinafter referred to, together with the necessary wires, cables, transformers, switches, protective devices and other appurtenances, and likewise the manhole and vault construction connected with said lines as requested in petition of said Company dated the 6th day of June, 2017.

All construction under this order shall be substantial, with due regard for public safety, and shall be placed substantially at the points indicated upon the plan marked Drawing # 6261 filed with and made a part of said petition. The conduits to be installed shall not exceed 6 ducts and all of said ducts shall be placed at a depth of 2.5 feet under the surface of public way, depending upon trench conditions.

The public way beneath which the construction above referred to may be installed, the distance of such construction along each such way and the plan showing the proposed installation are as follows namely:

PINE STREET

INSTALL 4-3" CONDUITS CONCRETE ENCASED FROM EVERSOURCE'S EXISTING DUCT BANK TO A NEW PAD MOUNTED TRANSFORMER ON THE CUSTOMER'S PROPERTY. THIS NEW TRANSFORMER IS FOR THE NEW SERVICE AT 263 CENTRAL STREET. EXTEND THE EXISTING 4-4" CONDUITS TO AN EXISTING MANHOLE ON PINE STREET. REMOVE SILO AND HEXHOLE IN SIDEWALK

Drawing #6261

Also that permission be and hereby is granted said Eversource to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Attachment: Pine St. #6261 (4182 : Eversource- Pine Street)

City

ORDER OF LOCATION FOR UNDERGROUND LINES FOR THE TRANSMISSION OF ELECTRICITY

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That Eversource, be and it is hereby granted a location for and permission to install and maintain below the surface of the ground in the public way hereinafter named, a line or lines for the transmission of electricity consisting of conduits located as shown upon the plan hereinafter referred to, together with the necessary wires, cables, transformers, switches, protective devices and other appurtenances, and likewise the manhole and vault construction connected with said lines as requested in petition of said Company dated the 6th day of June, 2017.

All construction under this order shall be substantial, with due regard for public safety, and shall be placed substantially at the points indicated upon the plan marked Drawing # 6261 filed with and made a part of said petition. The conduits to be installed shall not exceed 6 ducts and all of said ducts shall be placed at a depth of 2.5 feet under the surface of public way, depending upon trench conditions.

The public way beneath which the construction above referred to may be installed, the distance of such construction along each such way and the plan showing the proposed installation are as follows namely:

PINE STREET

INSTALL 4-3" CONDUITS CONCRETE ENCASED FROM EVERSOURCE'S EXISTING DUCT BANK TO A NEW PAD MOUNTED TRANSFORMER ON THE CUSTOMER'S PROPERTY. THIS NEW TRANSFORMER IS FOR THE NEW SERVICE AT 263 CENTRAL STREET. EXTEND THE EXISTING 4-4" CONDUITS TO AN EXISTING MANHOLE ON PINE STREET. REMOVE SILO AND HEXHOLE IN SIDEWALK

Drawing #6261

Also that permission be and hereby is granted said Eversource to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

Attachment: Pine St. #6261 (4182 : Eversource- Pine Street)

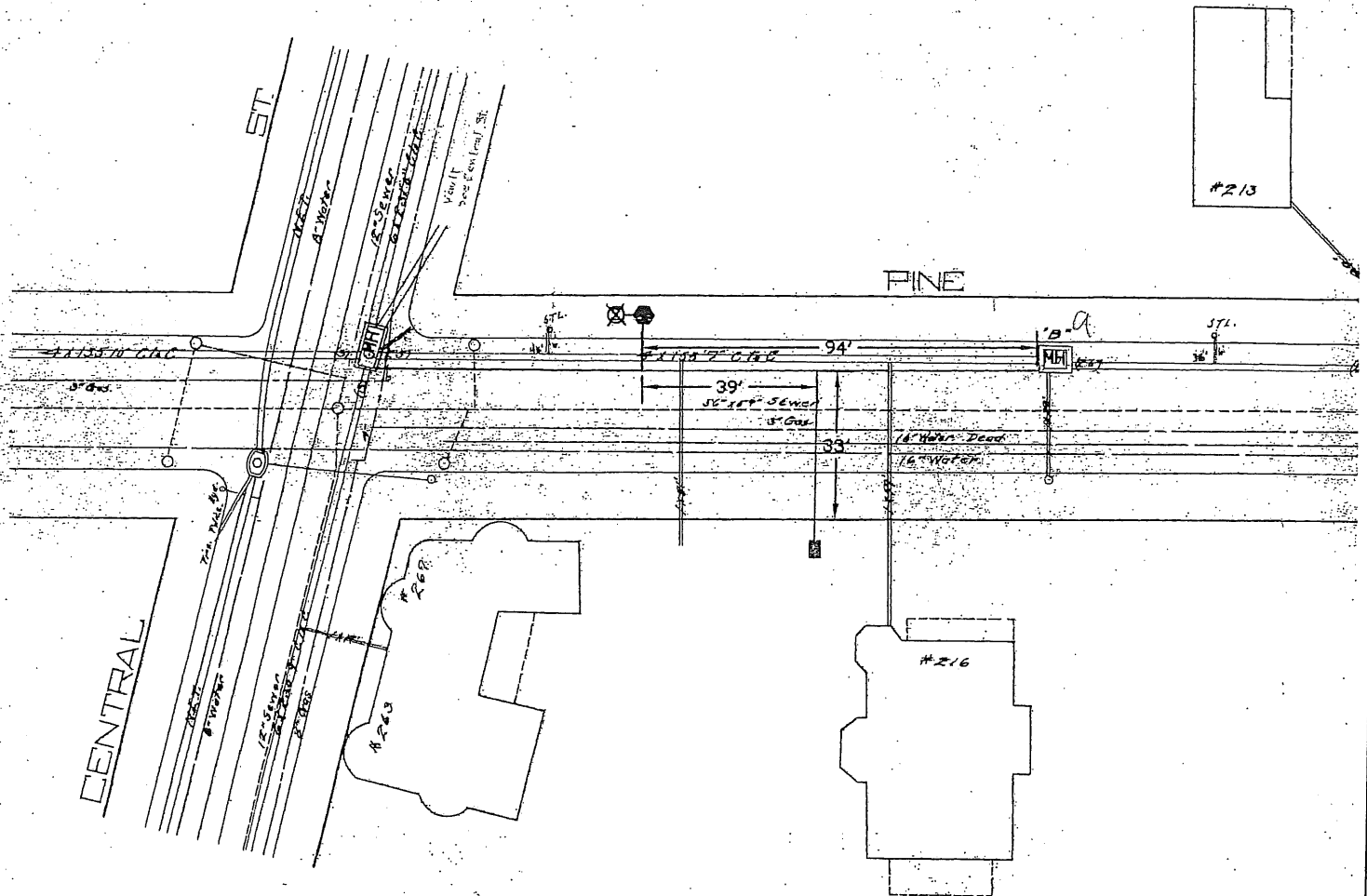
WESTERN MASSACHUSETTS ELECTRIC COMPANY
DBA EVERSOURCE ENERGY

TOWN

SPRINGFIELD

STREET

PINE ST



PURPOSE AND DESCRIPTION

EVSOURCE IS INSTALLING 4-3IN CONDUITS CONCRETE ENCASED FROM EVSOURCE'S EXISTING DUCT BANK TO A NEW PAD MOUNTED TRANSFORMER ON THE CUSTOMERS PROPERTY. THIS NEW TRANSFORMER IS FOR THE NEW SERVICE AT 263 CENTRAL STREET. EXTEND THE EXISTING 4-4IN CONDUITS TO AN EXISTING MANHOLE ON PINE STREET. REMOVE SILO AND HEXHOLE IN SIDEWALK

LEGEND

● PROPOSED JOINT POLE

● PROPOSED W.M.E.CO. POLE

⊗ EXISTING JOINT POLE

○ EXISTING W.M.E.CO. POLE

⊗ EXISTING W.M.E.CO. POLE TO BE JOINT

⊗ EXISTING FOREIGN POLE TO BE JOINT

■ PROPOSED PAD MOUNT TRANSFORMER

■ EXISTING PAD MOUNT TRANSFORMER

⊕ EXISTING MANHOLE

— UG EXISTING CONDUIT

— UG PROPOSED CONDUIT

⊕ PROPOSED HANDHOLE

⊗ EXISTING HANDHOLE

Ⓢ PROPOSED SILO

⊗ EXISTING SILO

● EXISTING HEXHOLE

DRAWN BY

ANDREW NETHERWOOD

W.D.#

2537657

DISTANCES ARE APPROXIMATE

1"=40'

PETITION NO.

62

Packet Pg. 156



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors:
DOC ID: 4177

ADOPTED

PETITION (ID # 4177)

Comcast- Liberty Street

CITY OF SPRINGFIELD, MASSACHUSETTS

Date: July 31, 2016

TO THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD:

The Board of Public Works, to which was referred the petition of Comcast of Massachusetts LL dated July 5, 2017, to install five hundred five (505') feet of 4" PVC conduit with fiber optic and coax cable on Liberty Street, beginning at existing Comcast vault which is located on the north sidewalk on Liberty Street, then continuing with 4" PVC conduit twenty three(23) feet southerly direction and turn easterly direction to run four hundred twenty-two (422') feet parallel to the south curb line to property 1776 Main Street (Peter Pan Bus Line)., all as substantially shown on a plan attached, dated 7/5/2017, which is incorporated herein by reference and to lay and maintain underground cables and Fiber Optic lines in public ways for the purpose to provide service to the area, reports thereon as follows:

By virtue of Chapter 708 of the Acts of 1977 the Board of Public Works held the hearing on the above matter provided for in Section 22 of Chapter 166 of the General Laws. The hearing was held on August 31, 2017 at 4:30 P.M. at the corner of Main Street and Liberty Street Springfield, MA after due notice from the office of the City Clerk. Three (3) members of the Board and one (1) person interested in the matter were present. Of the latter, one (1) voted in favor of and no-one (0) voted against.

The Board finds the request necessary in order that the company can provide service to building located on 1776 Main Street.

After careful consideration, the Board recommends the petition be granted provided:

That due care for public safety is exercised during construction including but not limited to the use of a police officer(s) for traffic control if necessary.

That said construction would not unnecessarily interfere with the movement of vehicular or pedestrian traffic in the area.

That care be taken during said construction not to damage any underground services.

That the construction site be returned to the same condition as found or better. Said company shall indemnify and save harmless against all damages, costs and expenses whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

In addition said company shall, before a public way is disturbed for the laying of its wire or conduit, execute its bond in the penal sum of Ten Thousand Dollars (\$10,000) conditioned for faithful performance of its duties under this permit.

Said company shall comply with the requirements of existing Ordinances and orders and comply with any changes in Ordinances and orders as may hereafter be adopted by the Mayor and Council governing the construction and maintenance of buried cable, conduits and wires.

That any sidewalks that are damaged or removed will be replaced in kind and in accordance with the City of Springfield's Standard Specifications.

That ramps for the handicapped will be provided if and where required by law and in conformance with the Rules and Regulations of the Massachusetts Architectural Barrier Board.

That any curbing that is disturbed during construction will be reset to the established street grade using proper construction procedures.

That all proposed silo, manhole and hexhole covers will conform to and be compatible with established street, treebelt or sidewalk grades with suitable non-skid covers when in the sidewalk area.

That the Springfield Water and Sewer Commission be notified before construction begins. All installations of adjacent utilities must be a minimum of 4 feet from the existing water and/or sewer main, edge to edge of pipe.

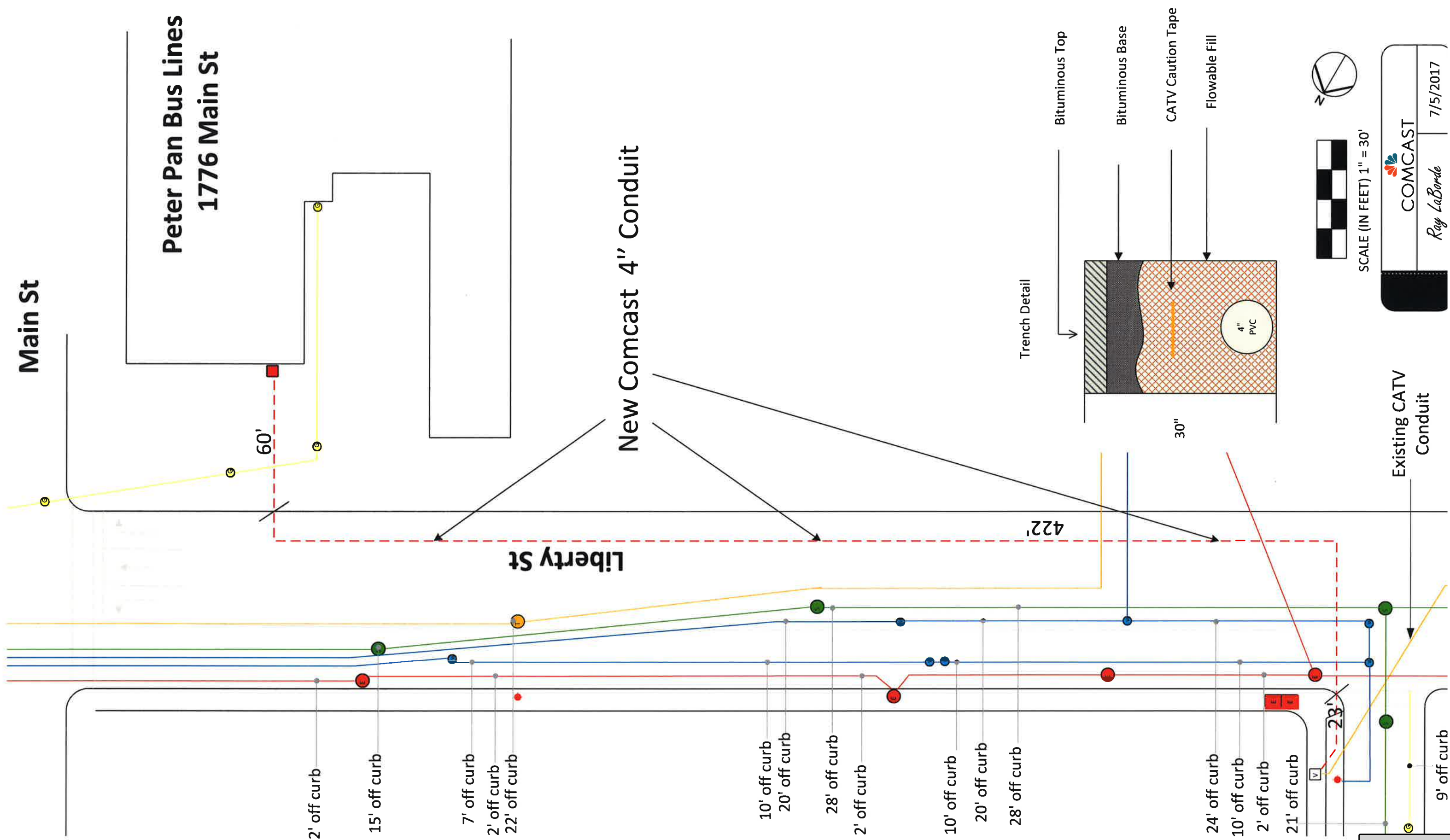
That asphalt trench restoration be done in accordance with the City of Springfield DPW requirements.

That all conditions set forth in the respective order are complied with.

_____))
 _____)) BOARD OF PUBLIC WORKS

_____)

RESULT: RECEIVED PASSED



7/5/17

Honorable Mayor and City Council
City of Springfield
City Hall
Court Street
Springfield, MA 01103

ATTN: Mr. Waymen Lee, City Clerk

Gentlemen:

Comcast of Massachusetts II, Inc. hereby requests that it be granted a location for and permission to run and maintain 505' of **4" conduit with Fiber Optic Line & Coax Cable on Liberty St** (*from existing Comcast U/G vault by corner of Boylston St.*) Together with such connections as it may now or subsequently find necessary.

Said plant installation is to be installed in accordance with the enclosed plan.

Thank you for your attention to this matter.

Sincerely,

Raymond S. LaBorde Jr

Enc.

Attachment: Liberty St Springfield Petition Letter and Scope of Work (4177 : Comcast- Liberty Street)

Liberty St-Springfield Construction Details

- Install 1 Sch. 40 PVC conduit from existing Comcast Quazite vault on corner of Boylston St, 505' in a North Easterly direction up Liberty St to side of building at 1776 Main St.
- Replace sidewalk pad by existing vault on Boylston St
- Install new pedestal by building at 1776 Main St.
- Asphalt road cut will be restored in accordance to City of Springfield specifications.
- Main trench to be located in roadway 2'-3' from curb line.
- All trench area and sidewalks to be restored to City of Springfield specifications.



City Council

ADOPTED

Meeting: 08/21/17 07:00 PM
Initiator: Tasheena Davis
Sponsors: President- Ward 8 Councilor Orlando Ramos
DOC ID: 4183

13

Community Preservation Committee Budget (President- Ward 8 Councilor Ramos)

CITY OF SPRINGFIELD, MASSACHUSETTS

In the City Council August 21, 2017

Order Authorizing Appropriations and Reserves for Fiscal Year 2018 from the Community Preservation Fund

Whereas, residents of the City of Springfield voted to accept the Community Preservation Act in November of 2016 in accordance with Chapter 267 of the Acts of 2000; and

Whereas, a Community Preservation Fund has been created using 1.5% of the City's property tax levy excluding (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town; (2) \$100,000 of the value of each taxable parcel of residential real property; and (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59; and

Whereas, a Community Preservation Committee was created by the City Council to make recommendations for community preservation; and

Whereas, each fiscal year the Community Preservation Committee shall make recommendations to the City Council in the form of a budget for appropriations and/or reserves from the Community Preservation Fund; and

Whereas, based on the Community Preservation Committee's recommendation the City Council shall make such appropriations or reserves from the Community Preservation Fund that spend or set aside not less than 10% of the annual revenues in the Community Preservation Fund for open space, not less than 10% of the annual revenues for historic resources, not less than 10% of the annual revenues for community housing and any remaining amount into budgeted reserves; and

Whereas, such appropriations from the Community Preservation Fund may include not more than 5% of the annual revenues for administrative and operating expenses for the Community Preservation Committee; and

Whereas, the estimated annual Community Preservation Fund revenues total \$705,000.00; and

Whereas, the Community Preservation Committee recommends \$35,250.00 of the Community Preservation Fund be appropriated for administrative expenses; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for open space; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for historic resources; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for community housing; and

Whereas, the Community Preservation Committee recommends \$458,250.00 of the Community Preservation Fund be placed into reserves as budgeted reserves; and

NOW THEREFORE BE IT ORDERED, The Springfield City Council hereby approves and authorizes the following appropriations from the Community Preservation Fund for Fiscal Year 2018:

Appropriations:

From FY 2018 estimated revenues for Committee Administrative Expenses **\$ 35,250**

AND IT IS FURTHER ORDERED, the Springfield City Council hereby approves and authorizes the following Reserves from the Community Preservation Fund for Fiscal Year 2018:

Reserves:

From FY 2018 estimated revenues for Historic Resources Reserve	\$ 70,500
From FY 2018 estimated revenues for Community Housing Reserve	\$ 70,500
From FY 2018 estimated revenues for Open Space Reserve	\$ 70,500
From FY 2018 estimated revenues for Budgeted Reserve	\$ 458,250

A true copy of an Order passed by the City Council on August 21, 2017.

Attest:

City Clerk

CITY OF SPRINGFIELD, MASSACHUSETTS

In the City Council August 21, 2017

**Order Authorizing Appropriations and Reserves for Fiscal Year 2018
from the Community Preservation Fund**

Whereas, residents of the City of Springfield voted to accept the Community Preservation Act in November of 2016 in accordance with Chapter 267 of the Acts of 2000; and

Whereas, a Community Preservation Fund has been created using 1.5% of the City's property tax levy excluding (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town; (2) \$100,000 of the value of each taxable parcel of residential real property; and (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59; and

Whereas, a Community Preservation Committee was created by the City Council to make recommendations for community preservation; and

Whereas, each fiscal year the Community Preservation Committee shall make recommendations to the City Council in the form of a budget for appropriations and/or reserves from the Community Preservation Fund; and

Whereas, based on the Community Preservation Committee's recommendation the City Council shall make such appropriations or reserves from the Community Preservation Fund that spend or set aside not less than 10% of the annual revenues in the Community Preservation Fund for open space, not less than 10% of the annual revenues for historic resources, not less than 10% of the annual revenues for community housing and any remaining amount into budgeted reserves; and

Whereas, such appropriations from the Community Preservation Fund may include not more than 5% of the annual revenues for administrative and operating expenses for the Community Preservation Committee; and

Whereas, the estimated annual Community Preservation Fund revenues total \$705,000.00; and

Whereas, the Community Preservation Committee recommends \$35,250.00 of the Community Preservation Fund be appropriated for administrative expenses; and

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Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for historic resources; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for community housing; and

Whereas, the Community Preservation Committee recommends \$458,250.00 of the Community Preservation Fund be placed into reserves as budgeted reserves; and

NOW THEREFORE BE IT ORDERED, The Springfield City Council hereby approves and authorizes the following appropriations from the Community Preservation Fund for Fiscal Year 2018:

Appropriations:

From FY 2018 estimated revenues for Committee Administrative Expenses **\$ 35,250**

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Reserves:

From FY 2018 estimated revenues for Historic Resources Reserve	\$ 70,500
From FY 2018 estimated revenues for Community Housing Reserve	\$ 70,500
From FY 2018 estimated revenues for Open Space Reserve	\$ 70,500
From FY 2018 estimated revenues for Budgeted Reserve	\$ 458,250

A true copy of an Order passed by the City Council on August 21, 2017.

Attest:

City Clerk

RESULT:	ADOPTED [11 TO 0]
MOVER:	Orlando Ramos, President- Ward 8 Councilor
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

CITY OF SPRINGFIELD, MASSACHUSETTS

In the City Council August 21, 2017

**Order Authorizing Appropriations and Reserves for Fiscal Year 2018
from the Community Preservation Fund**

Whereas, residents of the City of Springfield voted to accept the Community Preservation Act in November of 2016 in accordance with Chapter 267 of the Acts of 2000; and

Whereas, a Community Preservation Fund has been created using 1.5% of the City's property tax levy excluding (1) property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town; (2) \$100,000 of the value of each taxable parcel of residential real property; and (3) \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of said chapter 59; and

Whereas, a Community Preservation Committee was created by the City Council to make recommendations for community preservation; and

Whereas, each fiscal year the Community Preservation Committee shall make recommendations to the City Council in the form of a budget for appropriations and/or reserves from the Community Preservation Fund; and

Whereas, based on the Community Preservation Committee's recommendation the City Council shall make such appropriations or reserves from the Community Preservation Fund that spend or set aside not less than 10% of the annual revenues in the Community Preservation Fund for open space, not less than 10% of the annual revenues for historic resources, not less than 10% of the annual revenues for community housing and any remaining amount into budgeted reserves; and

Whereas, such appropriations from the Community Preservation Fund may include not more than 5% of the annual revenues for administrative and operating expenses for the Community Preservation Committee; and

Whereas, the estimated annual Community Preservation Fund revenues total \$705,000.00; and

Whereas, the Community Preservation Committee recommends \$35,250.00 of the Community Preservation Fund be appropriated for administrative expenses; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for open space; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for historic resources; and

Whereas, the Community Preservation Committee recommends \$70,500.00 of the Community Preservation Fund be placed into reserves for community housing; and

Whereas, the Community Preservation Committee recommends \$458,250.00 of the Community Preservation Fund be placed into reserves as budgeted reserves; and

NOW THEREFORE BE IT ORDERED, The Springfield City Council hereby approves and authorizes the following appropriations from the Community Preservation Fund for Fiscal Year 2018:

Appropriations:

From FY 2018 estimated revenues for Committee Administrative Expenses \$ 35,250

AND IT IS FURTHER ORDERED, the Springfield City Council hereby approves and authorizes the following Reserves from the Community Preservation Fund for Fiscal Year 2018:

Reserves:

From FY 2018 estimated revenues for Historic Resources Reserve	\$ 70,500
From FY 2018 estimated revenues for Community Housing Reserve	\$ 70,500
From FY 2018 estimated revenues for Open Space Reserve	\$ 70,500
From FY 2018 estimated revenues for Budgeted Reserve	\$ 458,250

A true copy of an Order passed by the City Council on August 21, 2017.

Attest:

City Clerk

Please be advised that below is the itemization for the Community Preservation Committee budget for administrative costs:

Sources:

CPA Revenue: \$705,000

Uses:

Administrative expenses:

21001720 Salaries \$1,000
21001720 Expenses \$34,250

Historic Resources Reserve:

21001720 Expenses \$70,500

Community Housing Reserve:

21001720 Expenses \$70,500

Open Space Reserve:

21001720 Expenses \$70,500

Budgeted Reserve:

21001720 Expenses \$458,250

Breakdown on administrative expenses are as follows:

Salary for administrative staff (to prepare minutes):	\$1,000
Office supplies:	\$1,000
CPA plan:	
Advertising for hearing, printing plan and applications, misc. expenses for public meetings, etc.	\$1,500
Coalition dues:	\$2,875
Signs for City Council approved projects:	\$3,500
Comprehensive review of applications:	
Appraisals, title research, expenses to evaluate acquisitions, studies, project cost estimators, etc.	\$5,375
Part time administrator or consultant to help with CPA:	\$20,000

TOTAL: \$35,250



City Council

ADOPTED

Meeting: 08/21/17 07:00 PM
Initiator: Anthony I. Wilson
Sponsors: Mayor Domenic J. Sarno
DOC ID: 4184

14

Election Warrant and Establishment of Polling Places (Mayor Sarno)

COMMONWEALTH OF MASSACHUSETTS

WILLIAM FRANCIS GALVIN
SECRETARY OF THE COMMONWEALTH

SS.

To the Constables of the City/Town of SPRINGFIELD

GREETING:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said city or town who are qualified to vote in a Preliminary to vote at

SEE ATTCHED WARD AND PRECINCT NUMBERS AND POLLING LOCATIONS

on **TUESDAY, THE NINETEENTH DAY OF SEPTEMBER, 2017**, from 7:00 A.M. to 8:00 P.M. for the following purpose:

To cast their votes in the Municipal Preliminary and Municipal Election for the candidates of political parties for the following offices:

CITY COUNCIL AT LARGE..... FOR THIS
MUNICIPALITY
CITY COUNCIL WARD TWO..... FOR THIS
MUNICIPALITY
CITY COUNCIL WARD THREE.....FOR THIS
MUNICIPALITY
CITY COUNCIL WARD FOUR..... FOR THIS
MUNICIPALITY
SCHOOL COMMITTEE AT LARGE..... FOR THIS
MUNICIPALITY
SCHOOL COMMITTEE DISTRICT 2..... FOR THIS
MUNICIPALITY

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under my hands this 21 day of August, 2017.

City Council of the City of Springfield

By posted on the Official Bulletin Board of the Office of the City Clerk and on City's Website

Anthony Wilson, Esquire - City Clerk

A True Copy Attested

August 21, 2017

(Warrant must be posted at least *seven (7) days* prior to September 19, 2017)

RESULT:	ADOPTED [10 TO 0]
AYES:	Edwards, Allen, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	Timothy J. Rooke, E. Henry Twiggs, Bud L. Williams

CITY OF SPRINGFIELD
September 19, 2017 – Tuesday

WARD 1

- A. RIVERVIEW ADMINISTRATION BLDG..... 82 DIVISION STREET
- B. RIVERVIEW ADMINISTRATION BLDG.....82 DIVISION STREET
- C. NORTH END YOUTH CENTER1772 DWIGHT STREET
- D. BAY STATE PLACE414 CHESTNUT STREET
- E. BAY STATE PLACE414 CHESTNUT STREET
- F. HOBBY CLUB.....309 CHESTNUT STREET
- G. FIRE DEPT. HEADQUARTERS.....SPRING & WORTHINGTON STREETS
- H. THE GOOD LIFE CENTER.1600 E. COLUMBUS AVE

WARD 2

- A. SPRINGFIELD BOYS AND GIRLS CLUB481 CAREW STREET
- B. SPRINGFIELD BOYS AND GIRLS CLUB481 CAREW STREET
- C. SPRINGFIELD BOYS AND GIRLS CLUB481 CAREW STREET
- D. VAN SICKLE SCHOOL, GYM1170 CAREW STREET
- E. VAN SICKLE SCHOOL, GYM.1170 CAREW STREET
- F. SAFETY COMPLEX.1212 CAREW STREET
- G. BOWLES SCHOOL24 BOWLES PARK
- H. VAN SICKLE SCHOOL, GYM1170 CAREW STREET

WARD 3

- A. EMERSON HALL (Next to Mason Wright Retirement Community) 439 UNION STREET
- B. GENTILE APARTMENTS, COMMUNITY RM.....85 WILLIAM STREET
- C. GENTILE APARTMENTS, COMMUNITY RM.....85 WILLIAM STREET
- D. JC WILLIAMS COMMUNITY CTR116 FLORENCE STREET
- E. JC WILLIAMS COMMUNITY CTR116 FLORENCE STREET
- F. HOLY NAME CHURCH/SOCIAL CENTER.....323 DICKINSON STREET
- G. HOLY NAME CHURCH/SOCIAL CENTER.....323 DICKINSON STREET
- H. HOLY NAME CHURCH/SOCIAL CENTER.....323 DICKINSON STREET
STREET

WARD 4

- A. REBECCA M. JOHNSON SCHOOL55 CATHERINE STREET
- B. REBECCA M. JOHNSON SCHOOL55 CATHERINE STREET
- C. MASON SQUARE LIBRARY.....765 STATE STREET
- D. HIGHLAND HOUSE, INC.250 OAK GROVE AVENUE
- E. MASON SQUARE FIRE STATION33 EASTERN AVENUE
- F. AIC CORNIOTES HALL.....1053 STATE ST (Corner of Homer)
- G. INDEPENDENCE HOUSE. . .1475 ROOSEVELT AVENUE
- H. AIC CORNIOTES HALL1053 STATE ST (Corner of Homer)

WARD 5

- A. HIGH SCHOOL OF SCIENCE & TECH. 1250 STATE & ALTON STREET
- B. HIGH SCHOOL OF SCIENCE & TECH.1250 STATE & ALTON STREET
- C. MARY LYNCH SCHOOL..... 315 NORTH BRANCH PARKWAY
- D. GREENLEAF COMMUNITY CENTER.....1188 ½ PARKER STREET
- E. PINE POINT LIBRARY 204 BOSTON ROAD
- F. DUGGAN SCHOOL.....1015 WILBRAHAM ROAD
- G. GREENLEAF COMMUNITY CENTER.....1188 ½ PARKER STREET
- H. CHURCH OF THE ACRES...1383 WILBRAHAM ROAD

WARD 6

- A. FOREST PARK LIBRARY COMMUNITY ROOM380 BELMONT AVE
- B. FOREST PARK LIBRARY COMMUNITY ROOM380 BELMONT AVE
- C. FOREST PARK COMMUNITY ROOM.....25 BARNEY LANE
- D. ALICE BEAL SCHOOL285 TIFFANY STREET
- E. HOLY NAME CHURCH/SOCIAL CENTER.....323 DICKINSON STREET
- F. ALICE BEAL SCHOOL285 TIFFANY STREET
- G. MLK CHARTER SCHOOL285 DORSET STREET
- H. MLK CHARTER SCHOOL.....285 DORSET STREET

WARD 7

- A. MARY DRYDEN SCHOOL.....190 SURREY ROAD
- B. FREDERICK HARRIS SCHOOL.....58 HARTFORD TERRACE
- C. FREDERICK HARRIS SCHOOL.....58 HARTFORD TERRACE
- D. TALMADGE SCHOOL1395 ALLEN STREET
- E. BRUNTON SCHOOL1801 PARKER STREET
- F. KILEY MIDDLE SCHOOL180 COOLEY STREET
- G. BRUNTON SCHOOL1801 PARKER STREET
- H. GLICKMAN SCHOOL.120 ASHLAND AVENUE

WARD 8

- A. MARY MOTHER OF HOPE (ST. MARY'S) CHURCH 840 PAGE BLVD
- B. MARY LYNCH SCHOOL.....315 NORTH BRANCH PARKWAY
- C. CENTRAL HIGH SCHOOL1840 ROOSEVELT AVENUE
- D. JOHN F. KENNEDY MIDDLE SCHOOL1385 BERKSHIRE AVENUE
- E. INDIAN ORCHARD CITIZENS COUNCIL..... 117 MAIN STREET I.O
- F. JOHN F. KENNEDY MIDDLE SCHOOL1385 BERKSHIRE AVENUE
- G. WARNER SCHOOL 493 PARKER STREET
- H. PINE POINT LIBRARY..... 204 BOSTON ROAD

POLLING PLACES SHALL BE OPEN FROM 7:00 AM TO 8:00 PM



City Council
36 Court Street
Springfield, MA 01103

COMPLETED

PETITION (ID # 4151)

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Site Plan Review
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4151

For a City Council Site Plan Review, to Review the Proposed Signage Associated with the Location of a Licensed Casino and Casino Complex Within the Boundaries Established by the City of Springfield for Casino Gaming Activities as Outlined Under the Casino Overlay District Regulations (Article 8, Section 8.5) at the Properties Generally Bounded by State Street, Main Street, Union Street and East Columbus Avenue

Request:	See Above
Owner:	Blue Tarp Redevelopment, LLC/MGM Springfield Redevelopment, LLC
By:	Seth Stratton, Esquire
Petitioner:	Blue Tarp Redevelopment, LLC
By:	Seth Stratton, Esquire

COMMENTS - Current Meeting:

The hearing was opened.

Attorney Frank Fitzgerald, representing the Petitioner, spoke in favor of the site plan.

No one spoke in opposition to the petition.

The public hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a City Council Site Plan Review, to review the proposed signage associated with the location of a licensed casino and casino complex within the boundaries established by the City of Springfield for casino gaming activities as outlined under the Casino Overlay District regulations (Article 8, Section 8.5) at the properties known as NS Howard Street (06802-0017, 0018, 0024, 0020, 0016, 0005), SS Howard Street (06802-0073, 0065), 35 Howard Street (06802-0070), 82 Howard Street (06802-0028), 53 Howard Street (06802-0068), 26 Howard Street (06802-0010), 1090 Main Street (08130-0098), 1120 Main Street (08130-0101), 1126 Main Street (08130-0103), 1106 Main Street (08130-0100), 1008 Main Street (08130-0091), 1132 Main Street (08130-0105), 1156 Main Street (08130-0108), 1200 Main Street (08130-0110), 95 State Street (11110-0650), 73 State Street (11110-0653), 79 State Street (11110-0651), SS State Street (11110-0656), 68 Union Street (11750-0022), NS Union Street (11750-0024), 53 Bliss Street (01560-0024), 16 Bliss Street (01560-0001), 61 Bliss Street (01560-0023), 19 Bliss Street (01560-0031), Bliss Street (01560-0032), SS Bliss Street (01560-0021, 0028, 0030, 0020, 0029), NS Bliss Street (01560-0005, 0007, 0008) and 1357 East Columbus Avenue (04303-0496) as allowed by M.G.L. and the Springfield Zoning Ordinance Article 8, Section 8.5.

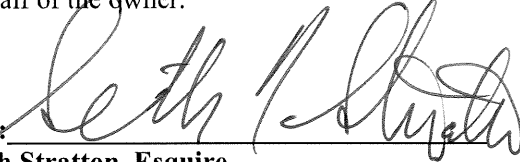
Mailing Address:

1441 Main Street
 Springfield, MA 01103

Owner:

**Blue Tarp Redevelopment, LLC/MGM
 Springfield Redevelopment, LLC**

I hereby certify that I am the owner or acting on behalf of the owner.

BY: 
 Seth Stratton, Esquire

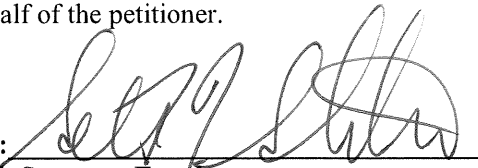
Mailing Address:

1441 Main Street
 Springfield, MA 01103

Petitioner:

Blue Tarp Redevelopment, LLC

I hereby certify that I am the petitioner or acting on behalf of the petitioner.

BY: 
 Seth Stratton, Esquire

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A CASINO OVERLAY SITE PLAN REVIEW (CITY COUNCIL)**

**PROPERTIES BOUNDED BY MAIN STREET, UNION STREET, STATE STREET AND
EAST COLUMBUS AVENUE
CASINO OVERLAY SITE PLAN REVIEW – SIGNAGE**

General Information

Petitioner:	Blue Tarp reDevelopment, LLC
Request:	For a City Council Site Plan Review, to review the proposed signage associated with the location of a licensed casino and casino complex within the boundaries established by the City of Springfield for casino gaming activities as outlined under the Casino Overlay District regulations (Article 8, Section 8.5).
Proposed use of the property:	Casino and casino complex
Parcel Size:	Approximately 14 acres
Site Visit:	N/A
City Council Hearing Date:	8-21-17

Staff Analysis

Neighborhood characteristics:

The parcel is located within the Metro Center neighborhood. This high density section of the City has a mix of commercial, cultural and residential uses.

Overview:

Blue Tarp reDevelopment has submitted an application to review the proposed signage associated with the location of a licensed casino and casino complex within the boundaries established by the City of Springfield for casino gaming activities as outlined under the Casino Overlay District regulations (Article 8, Section 8.5).

As per the Springfield Zoning Ordinance, the City Council is the approving body for a Site Plan Review application for a development which falls under the Casino Overlay District. The Casino Overlay District text was approved by the City Council in May 2013, with the boundaries of the District approved in December 2015.

As noted in the Zoning Ordinance, the Casino Overlay District's purpose is to facilitate the location of a licensed casino and casino complex within the boundaries established by the City of Springfield and the State of Massachusetts. The Casino Overlay District focuses on urban entertainment and recreational activities that will enhance the area as a desirable location for tourists, conventions, and urban life. The district also encourages pedestrian and transit-oriented linkages between the casino and casino complex and other

activities and venues within the City. The Casino Overlay District regulations are designed to ensure that the casino and casino complex contributes positively to the built environment, that the operation of the casino and casino complex will help to enhance, expand, and stabilize employment and the local economy while simultaneously ensuring effective public services and a high quality of life for nearby businesses, institutions and residents. As per the Zoning Regulations, the Site Plan Review process follows the procedures outlined in Article 12, Section 12.3; however, as noted above, the City Council is the approving body as opposed to the Planning Board.

As the Council is aware, formal approval of the proposed casino development was completed on March 4, 2016. As part of the developer's site plan submission, a letter was submitted specifically requesting that the review of signage be waived at that time as "...MGM [Springfield] has not yet determined the size, scope and type of signage appropriate for the development". However, it should be noted that as part of the original Site Plan Review process, the proposed "iconic" sign, to be located on the western façade of the garage, was reviewed and approved by the Council as part of the original Site Plan Review hearing. In addition, in October 2016, a number of additional signs, to be located on the exterior of the garage, were submitted by the petitioner and approved by the City Council.

As construction continues to progress, the petitioner has now submitted an updated sign plan and is requesting approval of such signs. The plans submitted for approval are for signs which will be located along Main Street, State Street, the proposed MGM Way, Bliss Street and Union Street. It should be noted that the proposed signage relates to the larger MGM Springfield entertainment complex and that individual tenant signage has not yet been submitted for review and approval.

In addition to the Office of Planning & Economic Development's staff analysis, a full independent review has also been completed by The Chicago Consultants Studio, Inc. (CCS). A copy of their report has been attached. As noted previously, these urban planners have extensive experience with casino development and have also played a key role in the evaluation of the original proposals submitted by the competing casino developments during the City's RFQ/P process. They also assisted in the drafting of the Casino Overlay District regulations and the negotiating and drafting of the Host Community Agreement (HCA).

Analysis:

As noted above, the petition has submitted an updated sign plan for approval by the City Council. Details of the proposed signs are as follows:

Main Street:

The plans submitted indicate that four (4) signs are proposed to be installed along the Main Street frontage. They will include a "MGM Springfield" sign to be located on the entrance to the entertainment complex at the corner of Main Street and Howard Street. The proposed sign will be aluminum lettering with neon-like LED illumination.

The second sign will be a blade/projecting style sign for the proposed hotel. This sign would be located on the new building façade along Main Street. The proposed sign would be an aluminum sign cabinet and aluminum lettering with "marque" bulbs for illumination and a MGM logo.

The third sign will be located above the casino entrance from Main Street. This sign will have individual aluminum channel lettering with neon-like LED illumination. It should be noted that a similar style "casino" sign will also be installed above the entrances to the casino from Howard Street and MGM Way.

The fourth sign on Main Street will be a perpendicular “MGM” wall sign located on the building adjacent to 101 State Street. As with the signs above, this will be constructed of aluminum lettering with neon-like LED illumination. The staff feels that this particular sign is important as it will be visible to pedestrians and vehicles traveling down Main Street from areas north of the site.

State Street:

Currently, the only proposed sign to be located along State Street will be a free-standing ground sign. This sign will be a combination of aluminum disks and panels which will be used to identify the entrance to the parking garage. The sign will have a combination of internal illumination features.

MGM Way/Bliss Street:

The plans submitted indicate that four (4) signs will be located along the newly proposed MGM Way.

Two (2) signs will be located above the entrance to the food market. They include a MGM wall sign and a sign identifying the new South End Market. Both signs will be a combination of aluminum lettering with neon-like LED illumination. The South End Market sign has additional architectural features including a fabricated aluminum frame with metal/mesh panels.

As noted above, there will also be an aluminum channel letter “casino” sign over the entrance from MGM Way. Again this will have neon-like LED illumination.

The forth sign will be a non-illuminated directional sign located along MGM Way. The sign will direct vehicles to the valet and self-parking entrances to the garage. The sign will be constructed of aluminum panels.

Bliss Street:

Three (3) signs are proposed along Bliss Street. An additional two (2) signs are also proposed to be located inside the ground level of the parking garage.

Two (2) signs are proposed to be located on the façade of the parking garage. One will identify the valet entrance to the garage and the second sign will identify the self-parking entrance. Both signs will have aluminum lettering with an aluminum support structure. Illumination will be a combination of “marque” bulbs and neon-like LED internal illumination.

The third sign will be a non-illuminated directional sign located along MGM Way. The sign will direct vehicles to the valet and self-parking entrances to the garage. The sign will be constructed of aluminum panels. This is a similar sign to the one being installed along MGM Way.

Two (2) additional signs will be installed inside the ground level of the parking garage. This will include a MGM Springfield ground sign located inside the valet entrance to the garage and constructed of aluminum lettering and will be internally illuminated. The staff is continuing to have dialog with MGM Springfield to install a similar style sign at the corner of Bliss Street and East Columbus Avenue as the staff feels that this will be the main entrance for vehicles entering and exiting the site.

Lastly a circular MGM “lion” logo will be installed above the entrance to the complex from the valet parking. The sign will be aluminum and will be internally illuminated.

Union Street:

The plans submitted indicate that there will be one (1) sign installed along the Union Street façade. This will be a blade/projecting style sign for the proposed movie theaters. The sign has been designed with several architectural features including aluminum dimensional lettering, accent details, neon-like accent lighting and a place holder for the operator's name and logo.

Howard Street/Entertainment Plaza/Promenade:

The plans submitted indicated that three (3) signs will be installed along the Howard Street/entertainment plaza/promenade. This sign will have individual aluminum channel lettering with neon-like LED illumination. This sign is similar to those along Main Street and MGM Way.

The second sign identifies the "arcade" entrance. This sign will be located on the facade of the replicated YMCA building. The sign will be constructed of aluminum, internally illuminated channel lettering with an aluminum support structure.

The third sign will be a blade/projecting style sign for the proposed TAP restaurant and bowling alley. The sign will be constructed of an aluminum cabinet in the shape of a bowling "pin" and will have neon-like internal illumination.

Recommendation

Overall, the staff is very pleased with the proposed signs submitted for approval. The staff believes strongly these signs are high-quality and very well designed. The staff also believes they keep with the overall "industrial chic" pallet that is being used throughout the complex.

Further, as per the Casino Overlay District Regulations, the staff believes the proposed signs meet the criteria listed for approval. Specifically, the staff believes the proposed signs are "...complimentary to the architectural elements found within the proposed development and surrounding buildings". Additionally, the staff believes that proposed signs have been "...integrated into and enhance the architectural design and massing of the building(s) so as to not distract from the quality and character of the development".

As noted on the report issued by The Chicago Consultants Studio, Inc. (CCS), the City and CCS will continue to have detailed discussions around the remaining individual tenant signage. The staff will also continue to discussion an additional ground sign on the corner of East Columbus Avenue and Bliss Street. The staff believes that due to the prominence of this entrance, an additional sign is warranted at this location. Lastly, further discussions on the finalized "historic" signage opportunities for the facades along Main Street will also continue with the staff, CCS and MGM Springfield.

As proposed, the staff believes that the signs meet the underlying Casino Overlay District Regulations and intent (Article 8, Section 8.5) and that the partial signage plan, as presented, should be approved, with the following conditions.

Recommended Conditions:

1. Approval is granted solely the proposed signage associated with the location of a licensed casino and casino complex within the boundaries established by the City of Springfield for casino gaming activities as outlined under the Casino Overlay District Regulations (Article 8, Section 8.5), at the properties known as

NS Howard Street (06802-0017, 0018, 0024, 0020, 0016, 0005), SS Howard Street (06802-0073, 0065), 35 Howard Street (06802-0070), 82 Howard Street (06802-0028), 53 Howard Street (06802-0068), 26 Howard Street (06802-0010), 1090 Main Street (08130-0098), 1120 Main Street (08130-0101), 1126 Main Street (08130-0103), 1106 Main Street (08130-0100), 1008 Main Street (08130-0091), 1132 Main Street (08130-0105), 1156 Main Street (08130-0108), 1200 Main Street (08130-0110), 95 State Street (11110-0650), 73 State Street (11110-0653), 79 State Street (11110-0651), SS State Street (11110-0656), 68 Union Street (11750-0022), NS Union Street (11750-0024), 53 Bliss Street (01560-0024), 16 Bliss Street (01560-0001), 61 Bliss Street (01560-0023), 19 Bliss Street (01560-0031), Bliss Street (01560-0032), SS Bliss Street (01560-0021, 0028, 0030, 0020, 0029), NS Bliss Street (01560-0005, 0007, 0008) and 1357 East Columbus Avenue (04303-0496).

2. The use shall be developed in accordance to the attached sign plans and elevations, dated June 23, 2017, with the addition of conditions #3 through #5.
3. Any and all sign permits shall be obtained, prior to installation.
4. Full composite drawing(s) of all elevations inclusive of all signs, style/designs, locations, sizes and extent of signage shall be submitted to the Office of Planning & Economic Development.
5. A complete submittal for all outstanding signage shall be submitted for review and approval by the City Council, prior to the issuance of any sign permits, as per Article 8, Section 8.5 of the Springfield Zoning Ordinance.
6. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

MGM-SPRINGFIELD

CCS Review of Exterior Signage – Design Development Documents dated June 23, 2017

July 26, 2017

MGM issued an updated partial signage review set to the City dated June 23, 2017 for the exterior signage and wayfinding package. CCS believes this signage package which articulates the primary exterior MGM-related uses signage represent an acceptable level of advancement, detail and design and is consistent with the initial concepts and directions which were favorable received in prior signage reviews. These concepts continue the industrial design direction of the signature MGM garage marquee sign as well as the industrial truss aesthetic used throughout the interiors of the complex, which the City/CCS team believes is an attractive and fitting look for the district.

Given the progressing construction and need to advance additional portions of the site signage, CCS believes this package should be approved subject to the following recommendations:

- *Columbus Drive Monument Sign:* from a preliminary signage session in May 2017 with MGM and their design team, the City/CCS team suggested the exploration of a more prominent “monument sign” at Columbus and Bliss indicative of this entry point as a major vehicular gateway and approach from Columbus; current sign design does not reflect this and the City team again encourages MGM/design team to consider a more prominent, signature branded sign befitting of this prime access and descriptive of the primary uses in the district.
- *Comprehensive Signage Package:* Given the evolving nature of finalizing uses and securing tenants, the City/CCS recognize that the exact signage (names, lettering, final configurations) will not be available until tenant selection; however, the City will still require a complete submittal for all outstanding signage once determined; note that approval of this signage package does not constitute final approvals for all signage; additionally, MGM has agreed to further articulate and submit detailed signage and other historic signage opportunities in areas along Main Street-Chandler building, MGM Promenade, etc.
- *Composite Elevations:* from our May 2017 call, MGM agreed to provide full composite drawings of all elevations inclusive of all signs, style/designs, locations, sizes and extent of signage; this will enable a comprehensive look at the entire signage package in relationship to the facades and other signs as this is a key component that will enhance the vitality and character of the district.

Additional related comments will be available in CCS' report of their 95% CD document review.

MGM SPRINGFIELD SIGNAGE AND WAYFINDING

EXTERIOR SIGNAGE - DESIGN DEVELOPMENT DOCUMENTS
FM_GRP-073 MGM Springfield | 23 JUNE 2017

CITY REVIEW SET

TWO TWELVE

NEW YORK
236 W 27th Street
Suite 802
New York, NY 10001
212.254.6670

HONOLULU
1110 Nuuanu Avenue
Honolulu, HI 96817
808.222.0088

www.twotwelve.com

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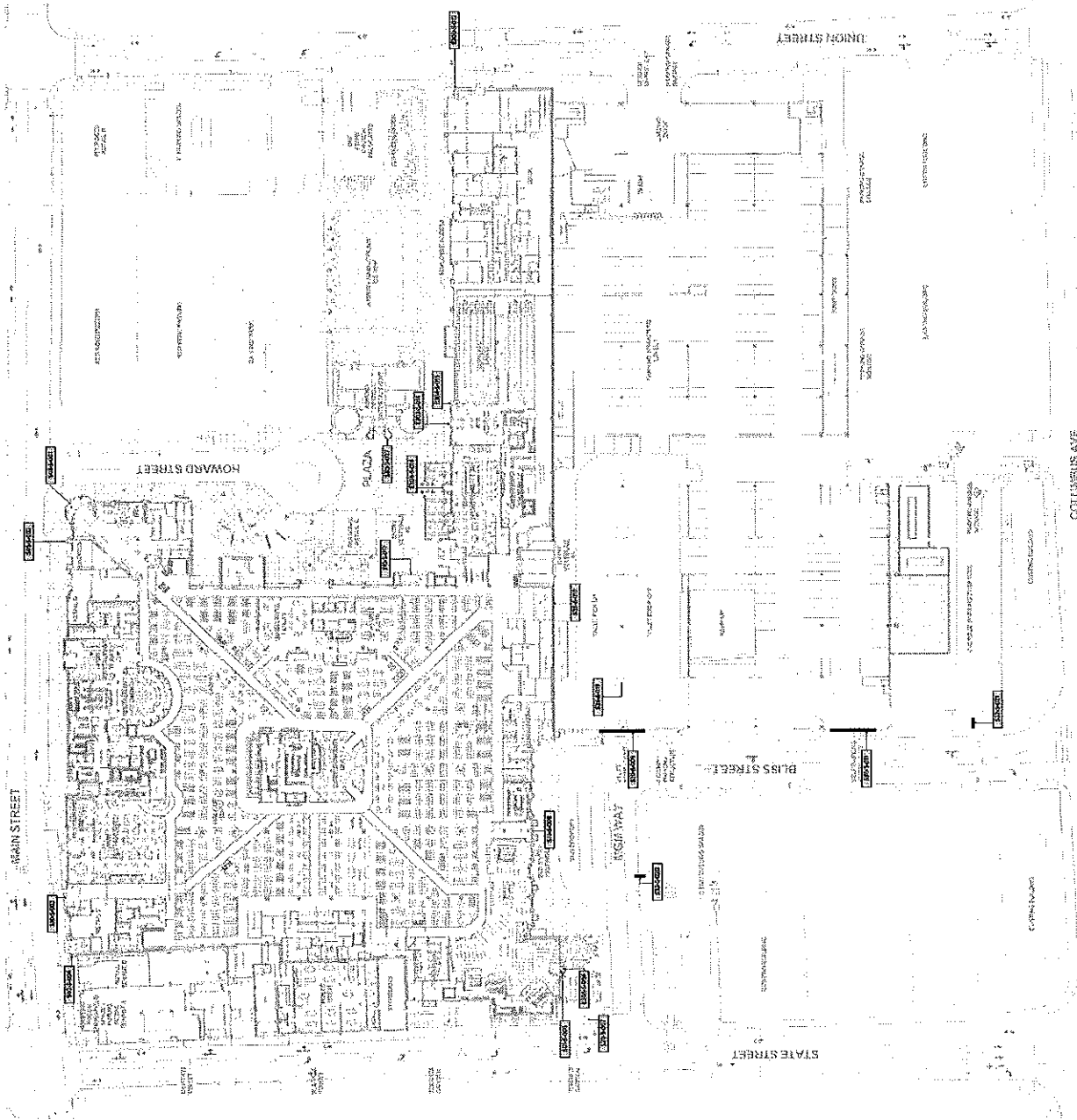
PROJECT
FM_GSP-073 MEM Springfield
MEM Springfield
Signage and Wayfinding

ISSUE TITLE / DATE
1 Exterior DO Drawings
City Review Set
23 June 2017

DRAWING TITLE
Exterior Sign
Location Plan

DRAWING NO.

DD.02



NEW YORK
236 W 27th Street
Suite 802
New York, NY 10001
212.254.6570

HONOLULU
1110 Nu'uuanu Avenue
Honolulu, HI 96817
808.222.0088

www.twotwelve.com

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WORK CONDITIONS AND INFORM THE
DESIGNER OF ANY DISCREPANCIES
BEFORE PROCEEDING WITH CONSTRUCTION
PROVIDING A WRITTEN DISCREPANCY
CORRECTION SCALE ON FINISHING

PROJECT

FM_GPR-073 MGM Springfield
MGM Springfield
Signage and Wayfinding

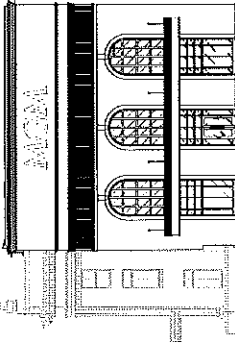
ISSUE TITLE / DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

DRAWING TITLE

S01
MGM Building ID
Primary

DISCREPANCY

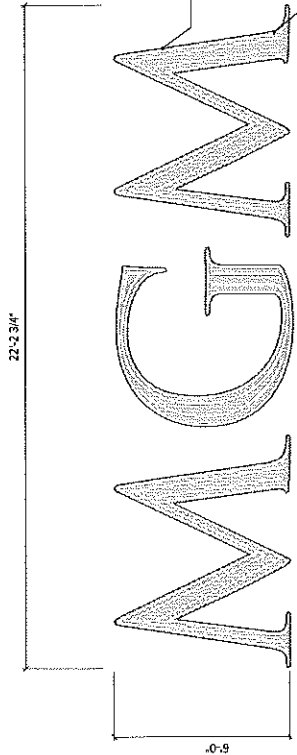
DD.03



3 Location Elevation
1/32" = 1'-0"



2 Side Elevation
1/4" = 1'-0"



Letters
1/8" aluminum 1'-0" thick reverse channel
letters, painted on all sides with internal
illumination. Mechanically fastened to
existing facade.

Internal Illumination
Internal white neon-like LED illumination.

1 Elevation
1/4" = 1'-0"

Sign Quantity: 1

NEW YORK
236 W 27th Street
Suite 802
New York, NY 10001
212.254.6570

HONOLULU
1110 Nuʻuanu Avenue
Honolulu, HI 96817
808.222.0088

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PROJECT
FM_SPR-073 MGM Springfield
MGM Springfield
Signage and Wayfinding

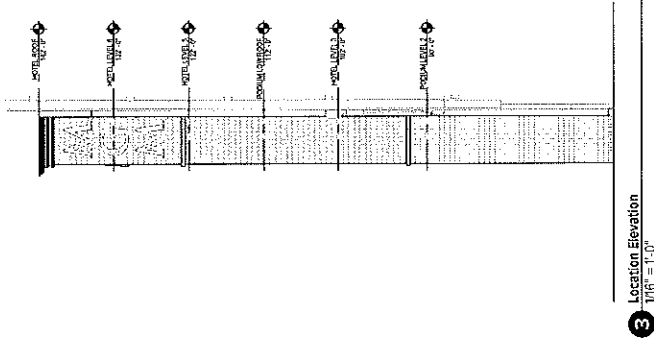
ISSUE TITLE / DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

DRAWING TITLE

S02
MGM Building ID
Secondary

DRAWING REF.

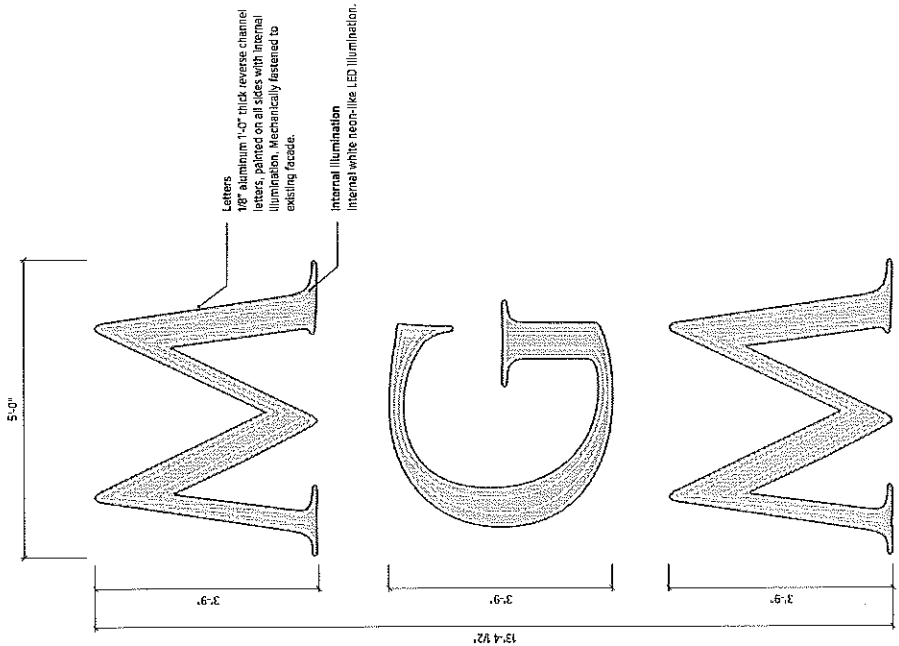
DD.04



3 Location Elevation
1/16" = 1'-0"



2 Side Elevation
1/2" = 1'-0"



1 Elevation
1/2" = 1'-0"

Sign Quantity: 1

NEW YORK
236 W 27th Street
Suite 802
New York, NY 10001
212.254.6570

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PROJECT:
FM_BRP-073 MGM Springfield
MGM Springfield
Signage and Wayfinding

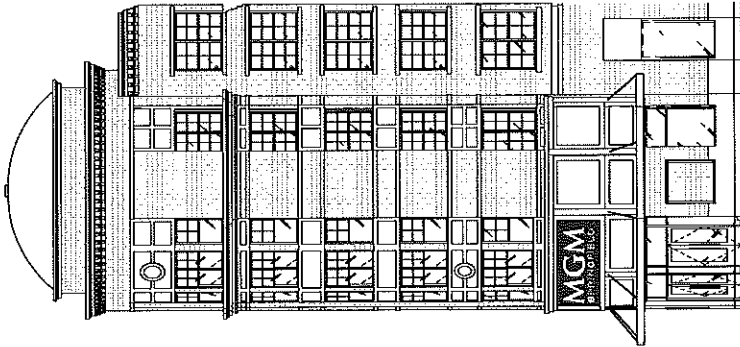
ISSUE TITLE / DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

012301015 TITLE

S03
MGM Building ID
Secondary

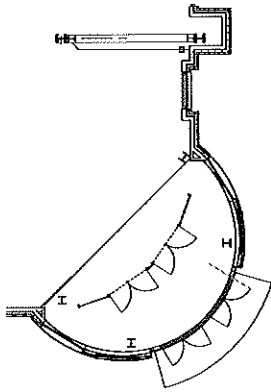
012301015 TOL

DD.05



4 Location Elevation
1/16" = 1'-0"

Backer Panel
1/8" aluminum 3" thick fabricated backer
panel, to conceal all letter mounting,
electrical connections and transformers.
Painted on all sides, mechanically fastened
to existing facade.



3 Plan View
1/16" = 1'-0"

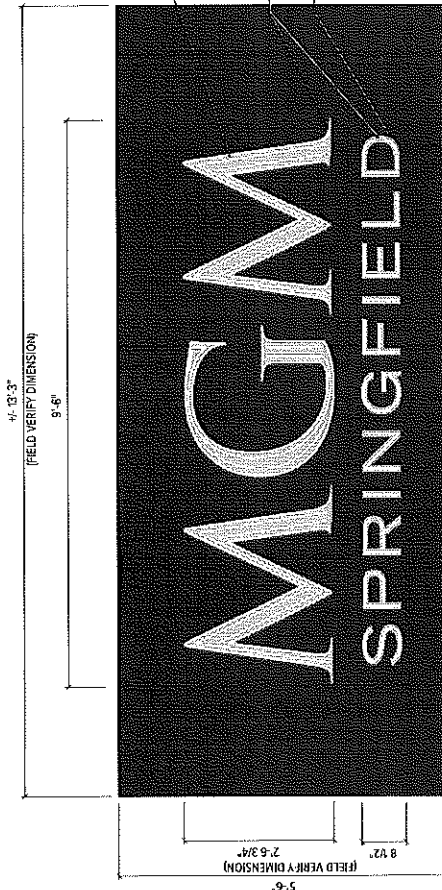


2 Side Elevation
1/2" = 1'-0"

MGM Letters
1/8" aluminum 4" thick reverse channel
letters, painted on all sides with internal
illumination. Fastened to backer panel.

Internal Illumination
Internal white neon-like LED illumination.

Springfield Letters
1/8" aluminum 2" thick reverse channel
letters, painted on all sides with internal
illumination. Fastened to backer panel.



1 Elevation
1/2" = 1'-0"

Sign Quantity: 1

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808.222.0088

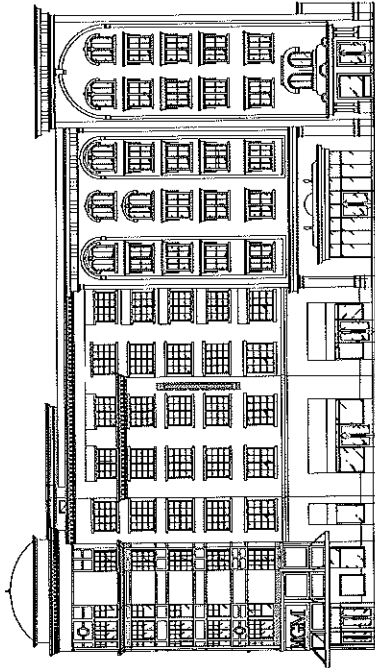
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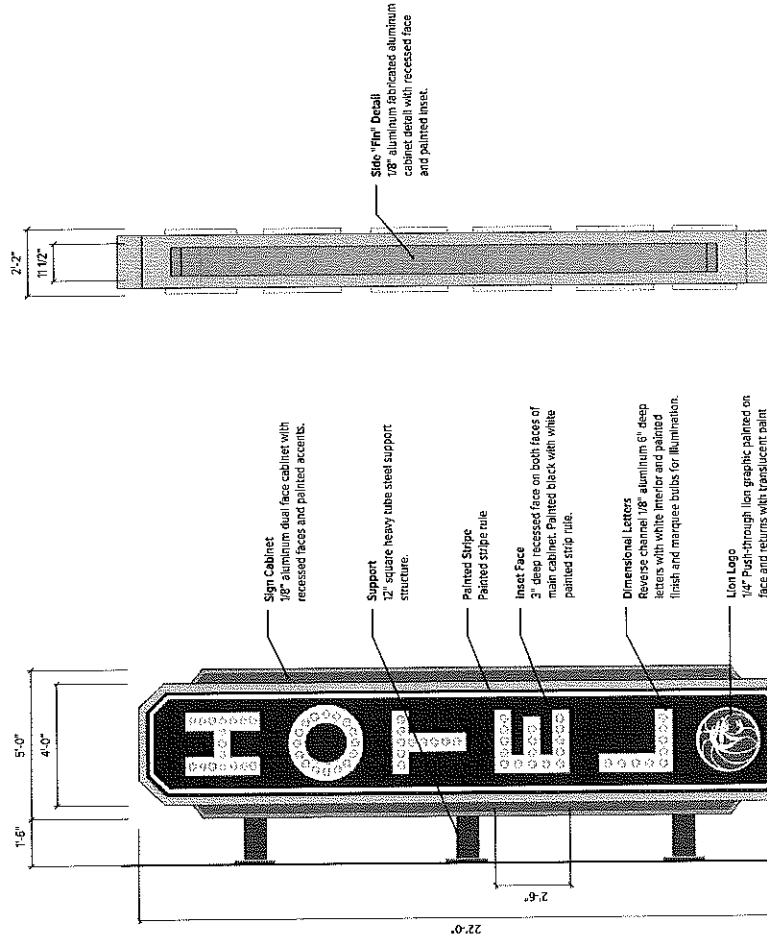
PROJECT
PM: GPR-073 MGM Springfield
MGM Springfield
Signage and Wayfinding
ISSUE TITLE / DATE
1 Exterior DD Drawings
City Review Set
23 Jun 2017

DESIGNER TITLE
S05
Hotel Building ID
DD-2017-05-01

DD.06



3 Location Elevation
1/32" = 1'-0"



2 Side Elevation
1/4" = 1'-0"

1 Elevation
1/4" = 1'-0"



Sign Quantity: 1

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PROJECT
PA_089-073 M&M Springfield
M&M Springfield
Signage and Wayfinding

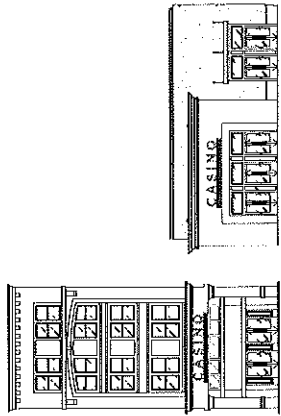
ISSUE TITLE DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

DRAWING TITLE
S10
Casino Building ID
Wall Mounted

DRAWING NO.

DD.07

Sign Quantity: 2



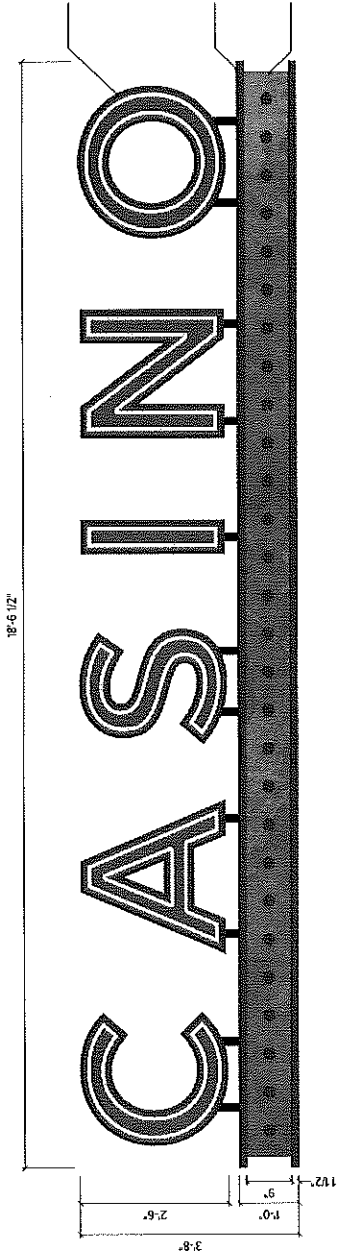
S10-S-003

Location Elevation - Wall Mounted Casino Signs

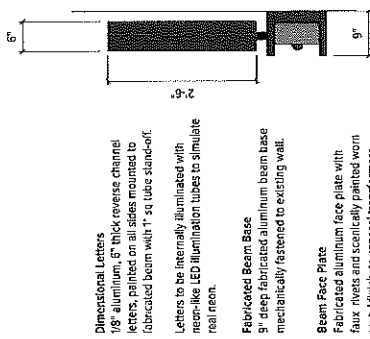
4 1/2" = 1'-0"



3 Top Elevation
1/2" = 1'-0"



1 Elevation
1/2" = 1'-0"



2 Side Elevation
1/2" = 1'-0"

Dimensional Letters

1/8" aluminum, 9" thick reverse channel
letters, painted on all sides mounted to
fabricated beam with 1" sq tube stand-off.

Letters to be internally illuminated with
neop-like LED illumination tubes to simulate
real neon.

Fabricated Beam Base

9" deep fabricated aluminum beam base
mechanically fastened to existing wall.

Beam Face Plate

Fabricated aluminum face plate with
four rivets and scintillated painted worn
metal finish, to conceal transformers
and wiring for letters and attachments.
Mounted to internal structure with
concealed fasteners.

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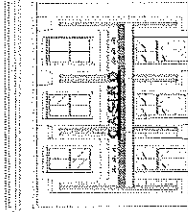
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PROJECT:
PM: GPR-073 MOM Springfield
MGM Springfield
Signage and Wayfinding

ISSUE TITLE / DATE
1 Bachelor DD Drawings
City Review Set
23 June 2017

DRAWING TITLE
S10
Casino Building ID
Canopy Mounted

DD.08

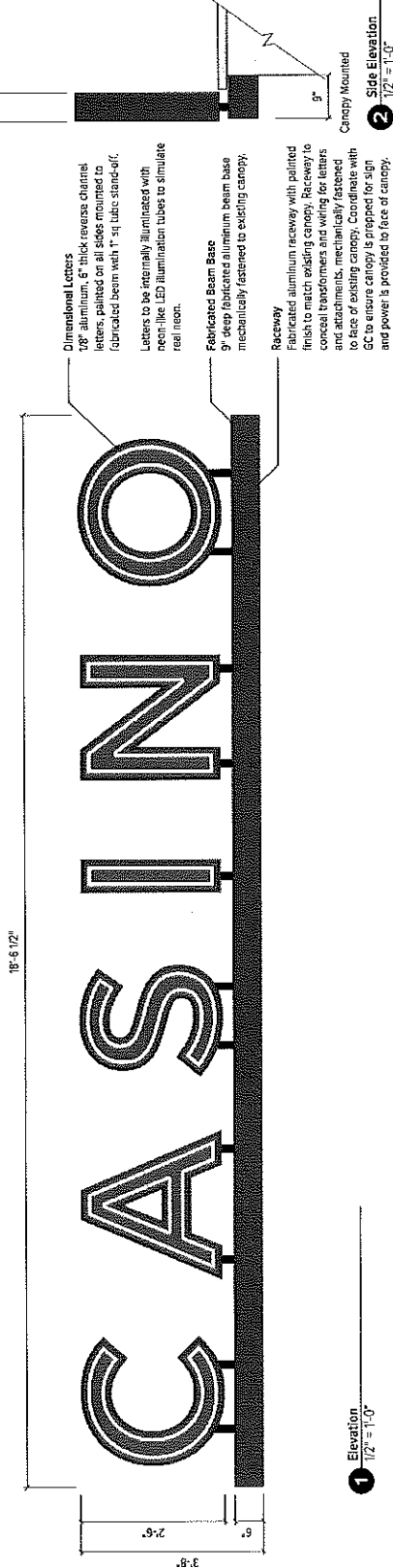


S10-S-008

4 Location Elevation - Canopy Mounted Sign
1/32" = 1'-0"



3 Top Elevation
1/2" = 1'-0"



1 Elevation
1/2" = 1'-0"

Sign Quantity: 1

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PROJECT:

PK_CSP-075 MGM Springfield
MGM Springfield
Signage and Wayfinding

ISSUE TITLE / DATE

1 Exterior 00 Drawings
City Review Set
23 June 2017

WORKING TITLE

E308

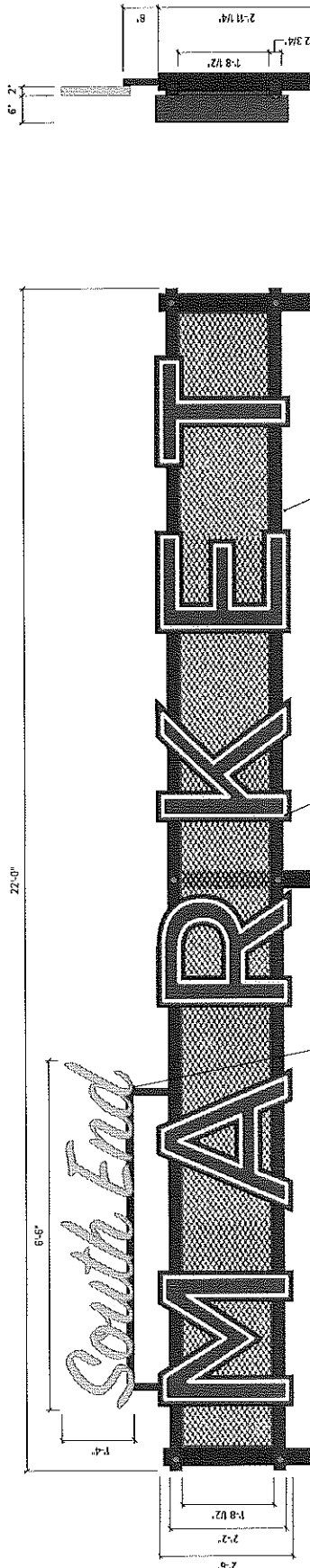
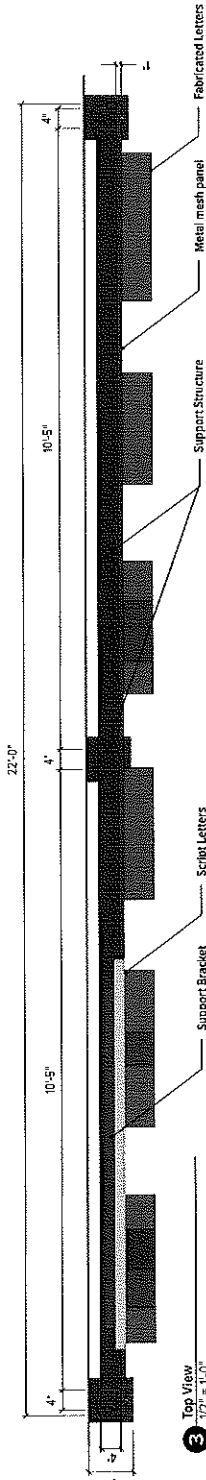
Market Canopy ID

25-000000

DD.09



4 Location Elevation
1/32" = 1'-0"



1 Elevation
1/2" = 1'-0"

Script Letters
2" deep fabricated aluminum script
letters with internal illumination and push
through acrylic face. Letters painted on
all sides, mounted to square tube support
bracket attached to frame.

Fabricated Letters
Applied 1/8" aluminum 6" thick reverse
channel letters, mechanically fastened
to support structure painted on all sides.
Letters to be internally illuminated with
neon-like LED illumination tubes to
simulate neon.

Support Structure
Fabricated aluminum square tube
frame support structure with applied
metal mesh panel and frame.

Electrical
All electrical conduits to be concealed
inside of square tube frame and ran
from building into sign from vertical
attachments.

2 Side Elevation
1/2" = 1'-0"

Sign Quantity: 1

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PROJECT
PM: CRR-073 M&M Springfield
M&M Springfield
Signage and Wayfinding

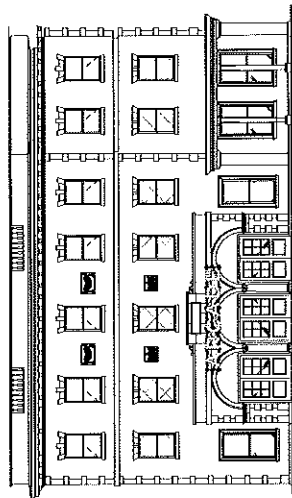
ISSUE TITLE / DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

CD SIGN & TITLE

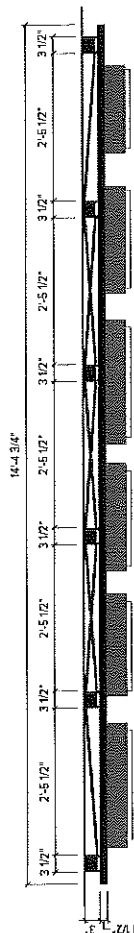
E302
Arcade Building ID

03-24-2017-343

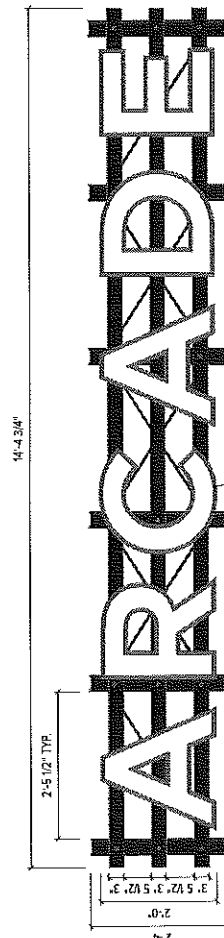
DD.10



4 Location Elevation
1/16" = 1'-0"



3 Elevation
1/2" = 1'-0"



1 Elevation
1/2" = 1'-0"

Dimensional Letters

4" thick fabricated internally illuminated letters
with 1/2" thick push through acrylic faces, painted
on all sides. Mechanically recessed to face of
horizontal cross beams. Wiring and conduit to
be concealed inside of tube frame.

Support Frame

Fabricated aluminum tube support frame with
horizontal cross beams and vertical fabricated
I-beams. Back of frame to have non-structural
cross strut detail. Horizontal tubes to be capped,
sanded and smoothed. Structure to be painted
on all sides and have satin clear coat.

Electrical

All electrical conduits to be concealed inside of
square tube frame and run from building into
sign from vertical attachments.

2 Side Elevation
1/2" = 1'-0"



Sign Quantity: 1

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PROJECT
FM_GRP-073 MGM Springfield
MGM Springfield
Signage and Wayfinding

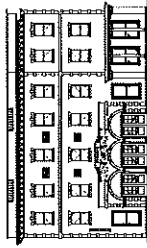
ISSUE TITLE: DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

DESIGN TITLE

E304
Bowling Blade ID

DESIGNER

DD.11



3 Location Elevation

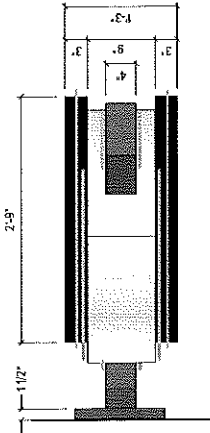
1/32" = 1'-0"

SIGN NUMBER E304-S-015



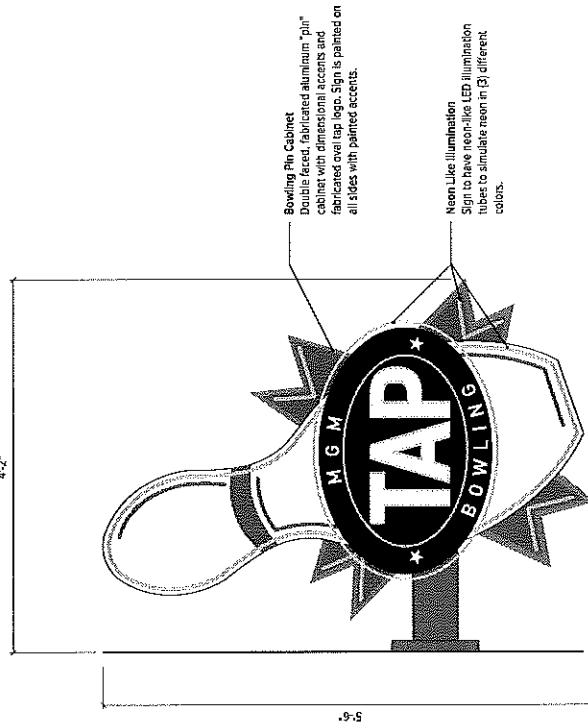
2 Side Elevation

3/4" = 1'-0"



3 Top Elevation

3/4" = 1'-0"



1 Elevation

3/4" = 1'-0"

Sign Quantity: 1

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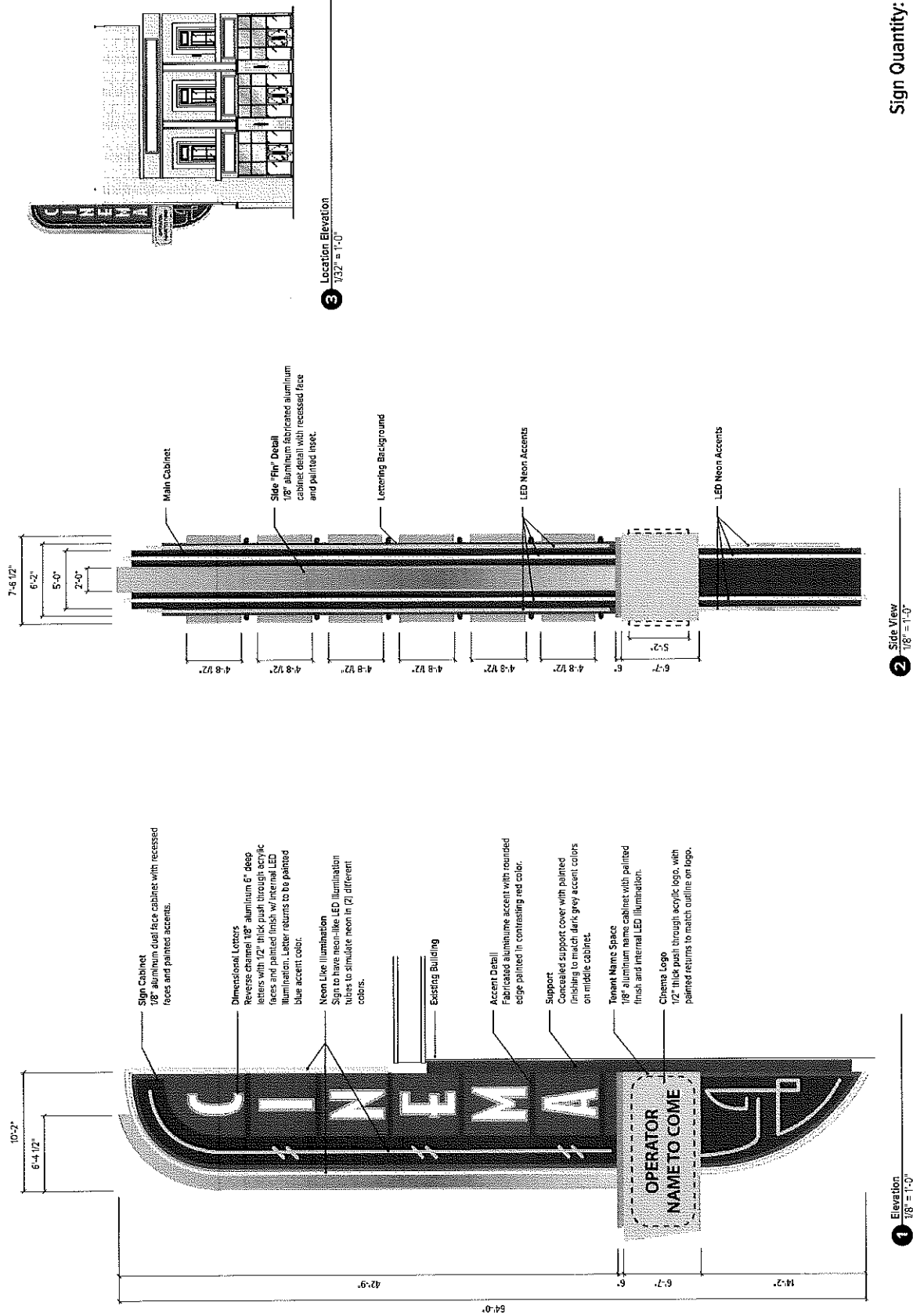
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PROJECT
PM: GPR-073 Mem Springfield
MAN: Springfield
Signage and Wayfinding

ISSUE TITLE DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

DRAWING TITLE
E300
Cinema Blade ID
DRAWING NO.

DD.12



Sign Quantity: 1

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PROJECT

PM: GPO-073 MGM Springfield
MGM Springfield
Signage and Wayfinding

ISSUE TITLE / DATE

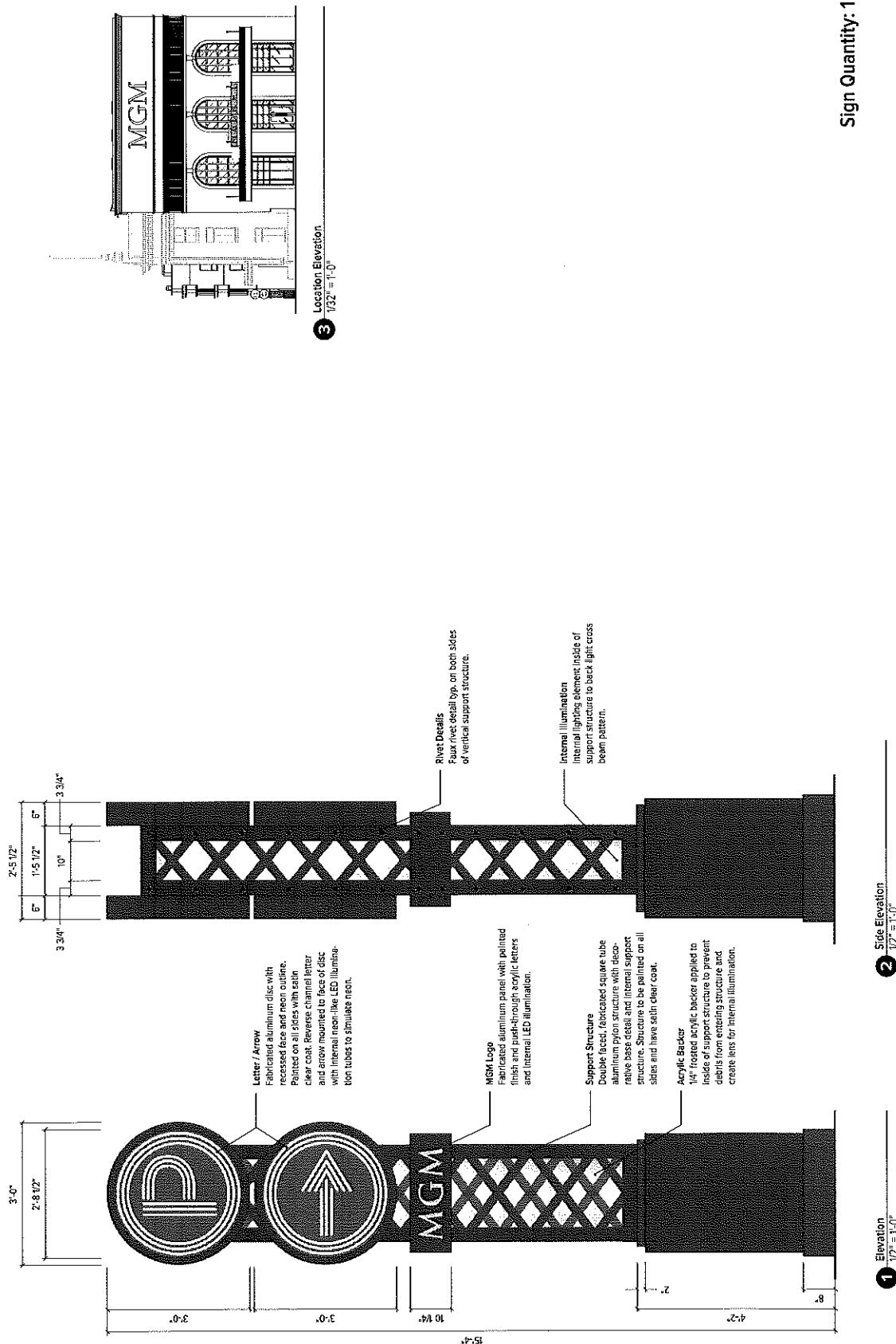
1
Exterior DD Drawings
City Review Set
23 June 2017

DRAWING TITLE

S20
Parking Directional
ID

SHEETING NO.

DD.13



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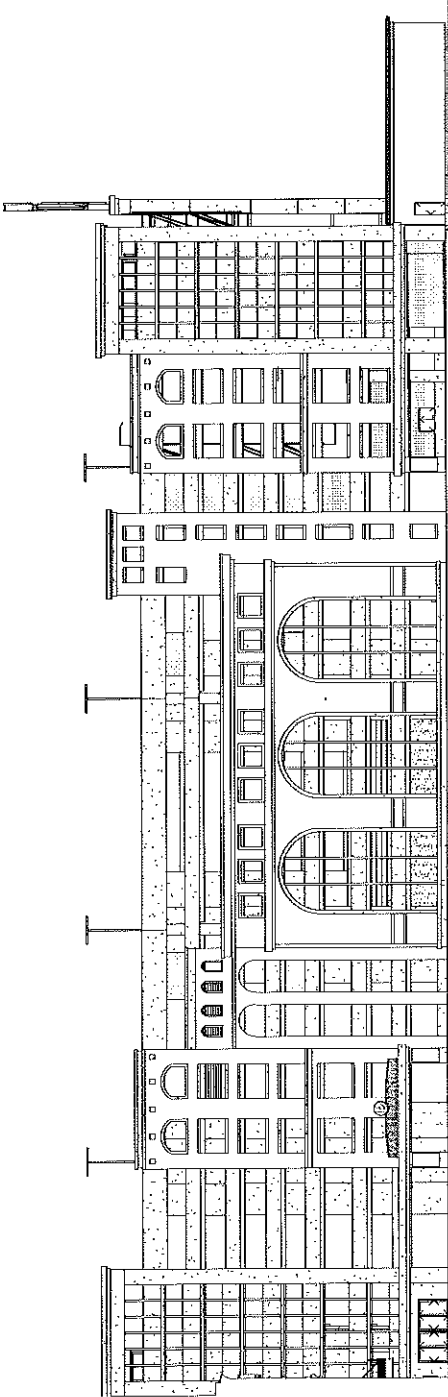
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PROJECT
FM_GPR073 MSM Springfield
MSM Springfield
Signage and Wayfinding

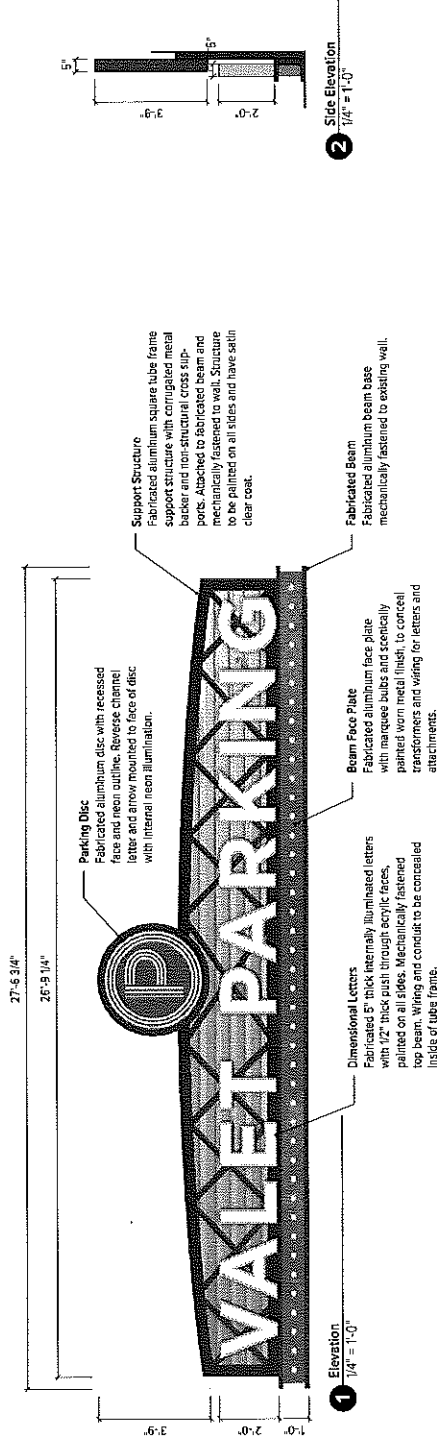
ISSUE TITLE DATE
1 Editor DD Drawings
City Review Set
23 June 2017

CASINO TITLE
S30
Valet / Self Parking
Garage ID
CS-SPR016-001

DD.14



3 Location Elevation
1/32" = 1'-0"



Sign Quantity: 1

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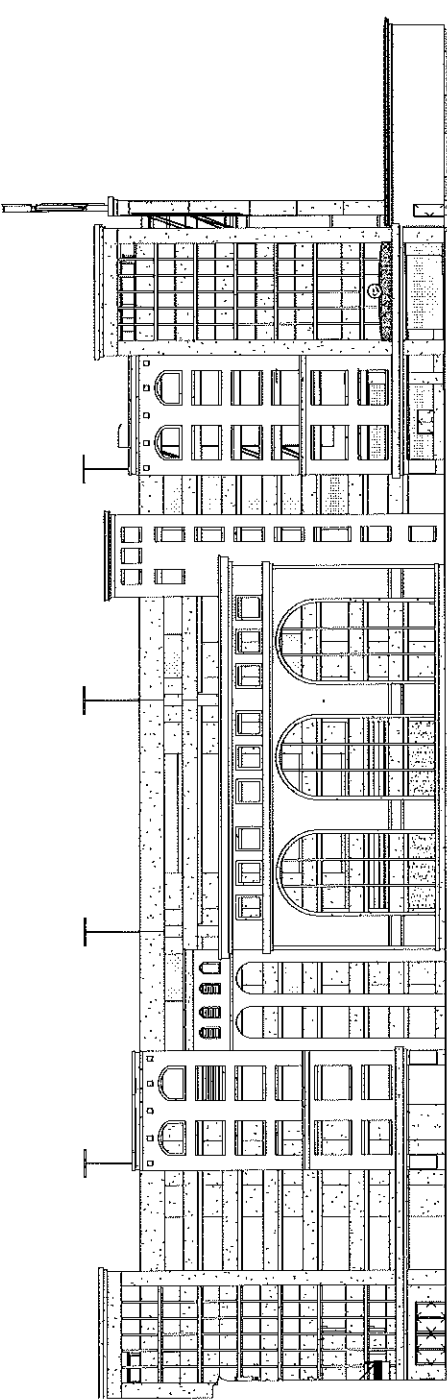
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FM_SPC-073 NEW Springfield
NEW Springfield
Signage and Wayfinding

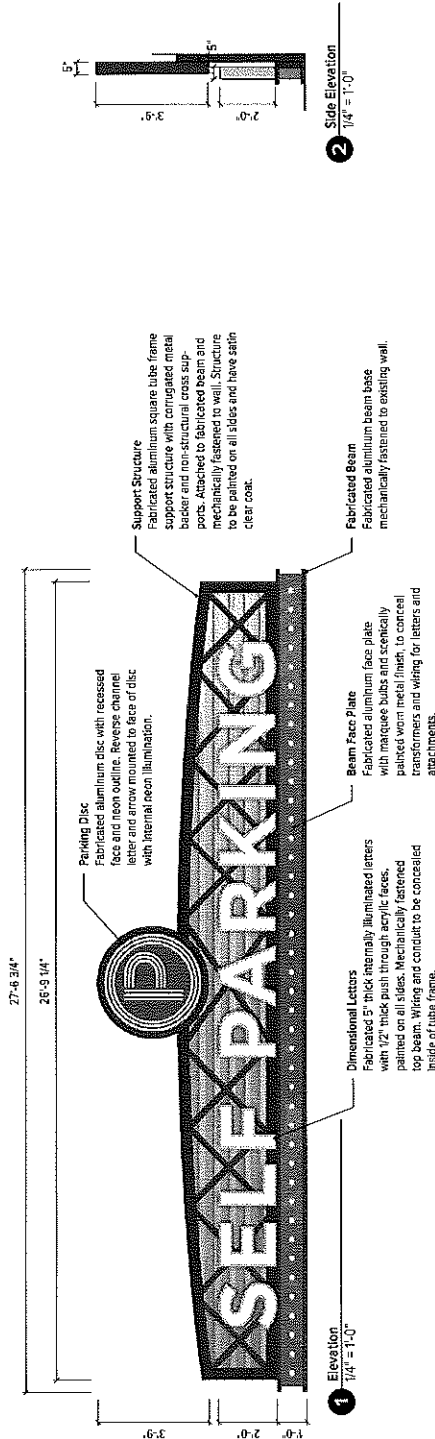
ISSUE TITLE: 121212
1 Exterior DD Drawings
City Review Set
23 June 2017

DESIGNER'S TITLE
S30
Valet / Self Parking
Garage ID
ONSURFA LLC

DD.15



3 Location Elevation
1/32" = 1'-0"



Sign Quantity: 1

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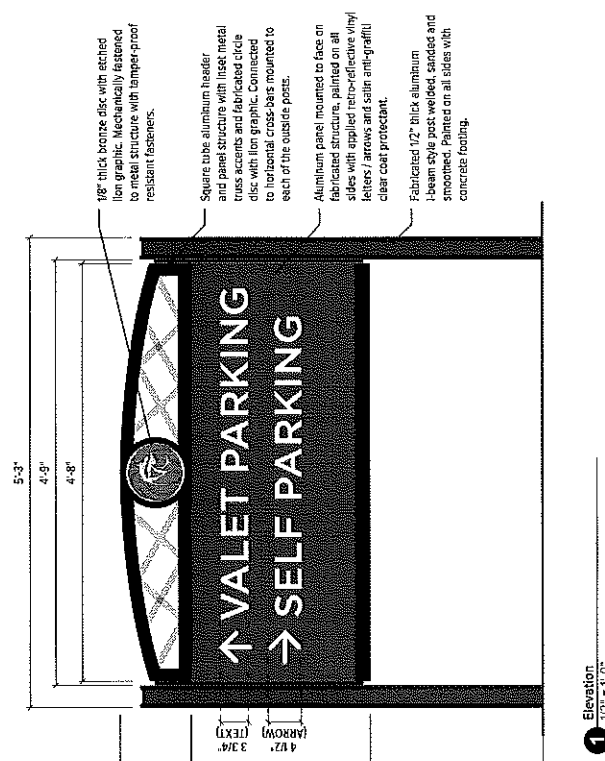
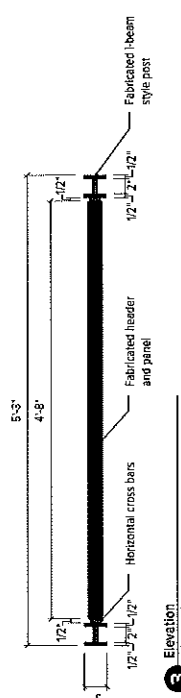
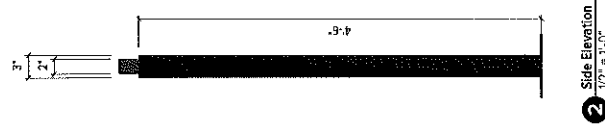
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PROJECT
FM_00073 MEN Springfield
MEM Springfield
Signage and Wayfinding

ISSUE TITLE / DATE
1 Editor DD Drawings
City Review Set
23 June 2017

CSA/IN/6 TITLE
S32
Parking Directional

DD.16



Sign Quantity: 2

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153125

FM_GRP-073 MGM Springfield

MGM Springfield
Signage and Wayfinding

23 June 2017

RESEARCH, III.C

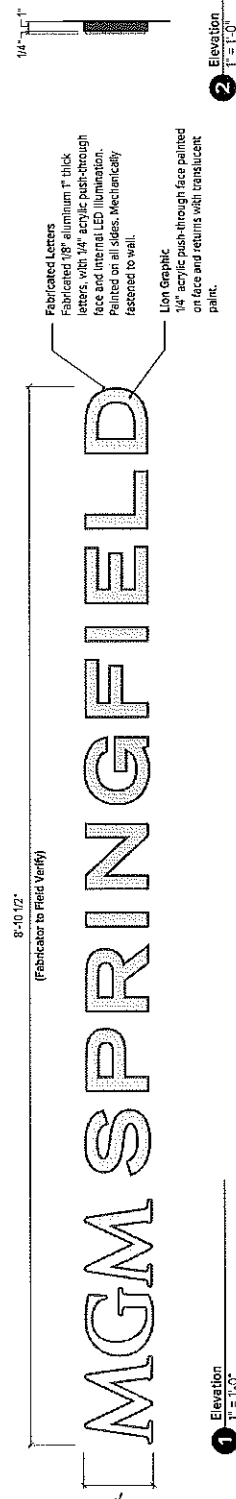
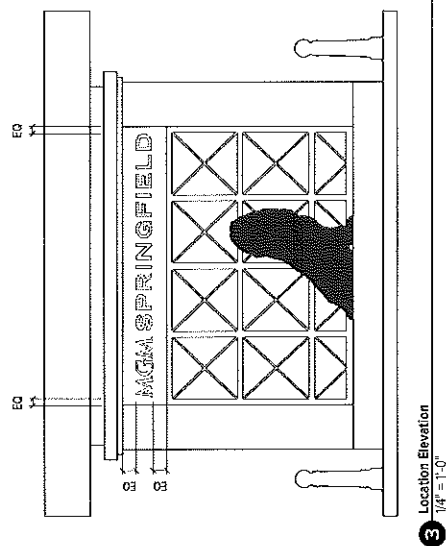
535

Parking Entry ID

CONCLUSIONS

DD.17

15.b



Sign Quantity: 1

NEW YORK
236 W 27th Street
Suite 802
New York, NY 10001
212.254.6670

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808.222.0088

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PROJECT

FM_GRR-073 MGM Springfield
MGM Springfield
Signage and Wayfinding

ISSUE TITLE / DATE
1 Exterior DD Drawings
City Review Set
23 June 2017

CONTRACT TITLE

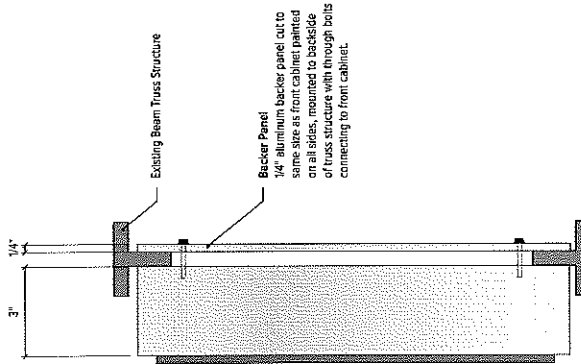
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Valet Entry /ID

DESIGNER A/E/C

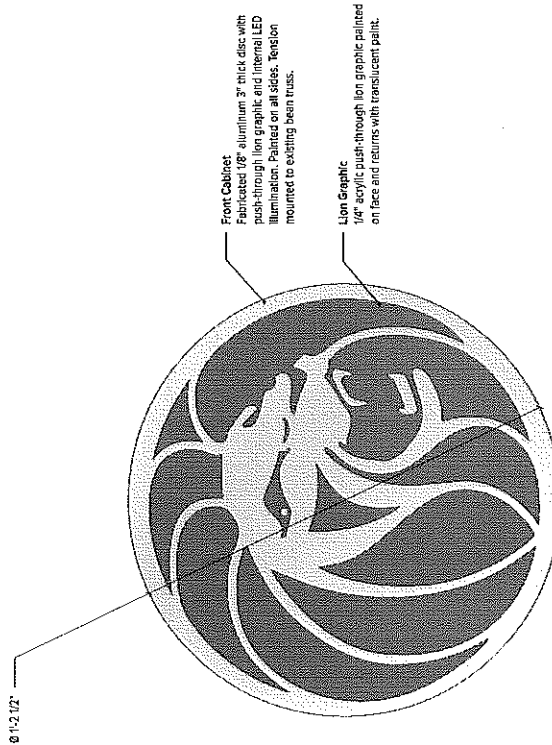
DD.18



3 Location Elevation
1/8" = 1'-0"



1 Side Elevation
3\"/>



1 Elevation
3\"/>

Sign Quantity: 1

STREET ELEVATIONS

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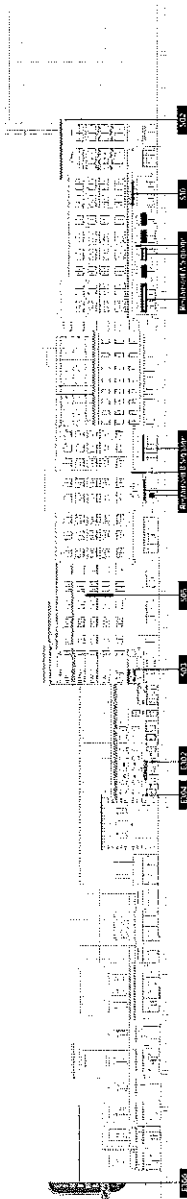
PROJECT
PM, GRP-073
MGM Springfield

ISSUE TITLE / DATE
1 City Review Drawings
23 June 2017

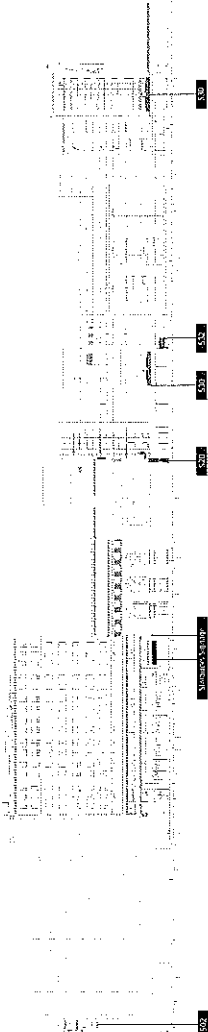
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Overall Reference
Exterior Elevations

DRAWING NO.

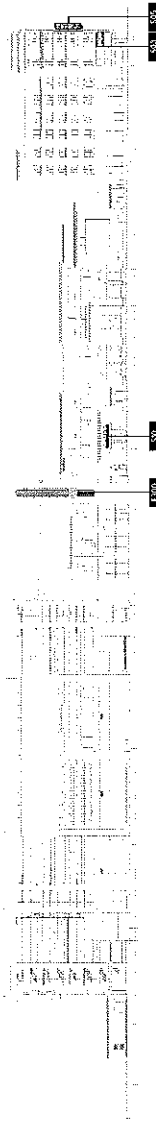
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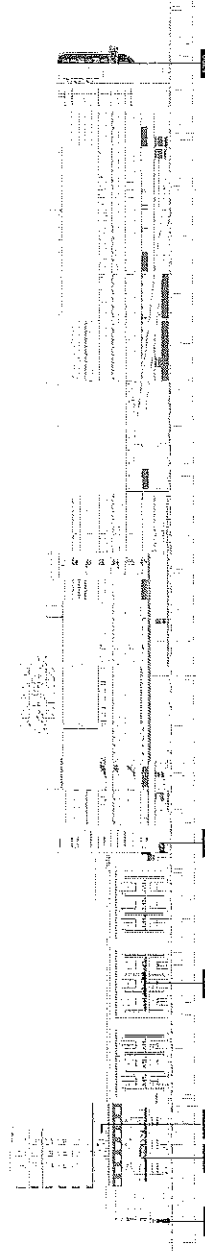
10 OVERALL REFERENCE EAST ELEVATION - MAIN STREET



11 OVERALL REFERENCE NORTH ELEVATION - STATE STREET



12 OVERALL REFERENCE SOUTH ELEVATION - UNION STREET



13 OVERALL REFERENCE WEST ELEVATION - EAST COLUMBIA AVENUE

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PROJECT
FM GRP-073
MGM Springfield

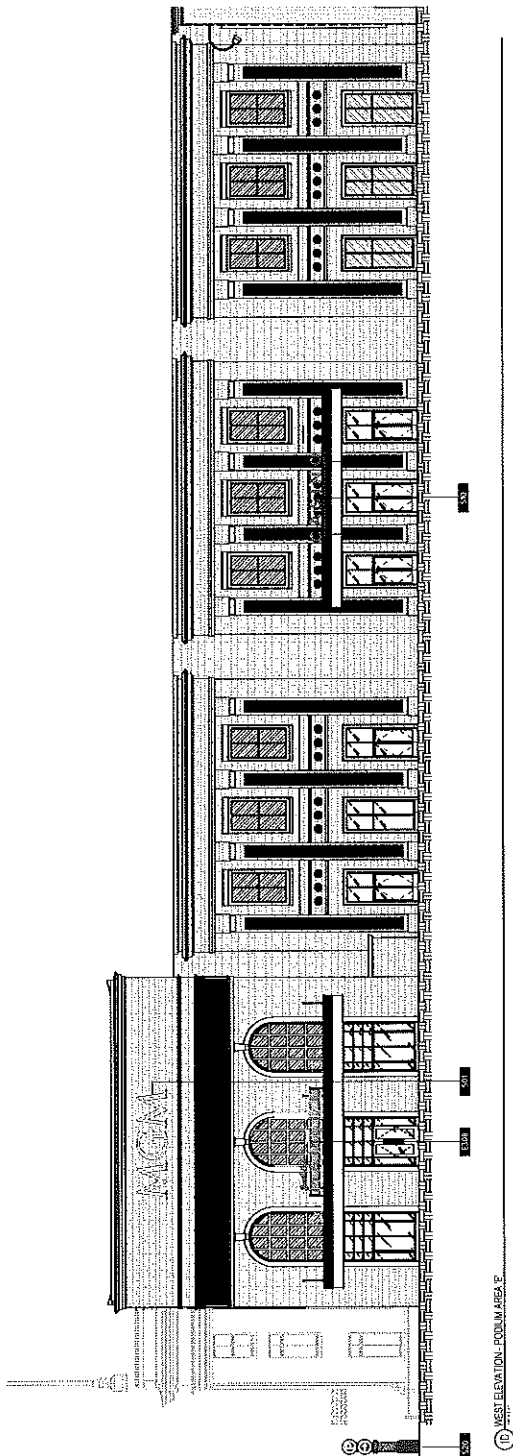
ISSUE TITLE / DATE
1 City Review Drawings
23 June 2017

DRAWING TITLE

West Elevation
Podium Area 'E'

DATE: 06/23/2017

02



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PM, GRP-073
MGM Springfield

ISSUE TITLE / DATE

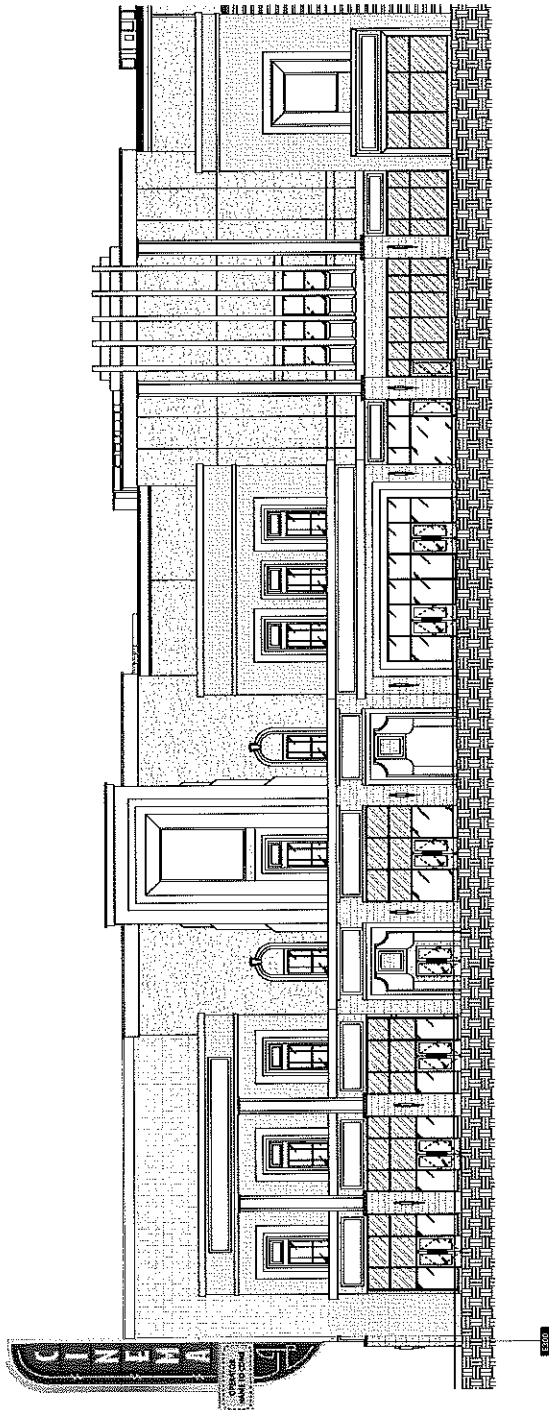
1 City Review Drawings
23 June 2017

DRAWING TITLE

East Elevation
Podium Area 'H'

DRAWING NO.

03



(E) EAST ELEVATION - PODIUM AREA 'H'

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PROJECT

PM: GRP-073
MGM Springfield

ISSUE TITLE / DATE

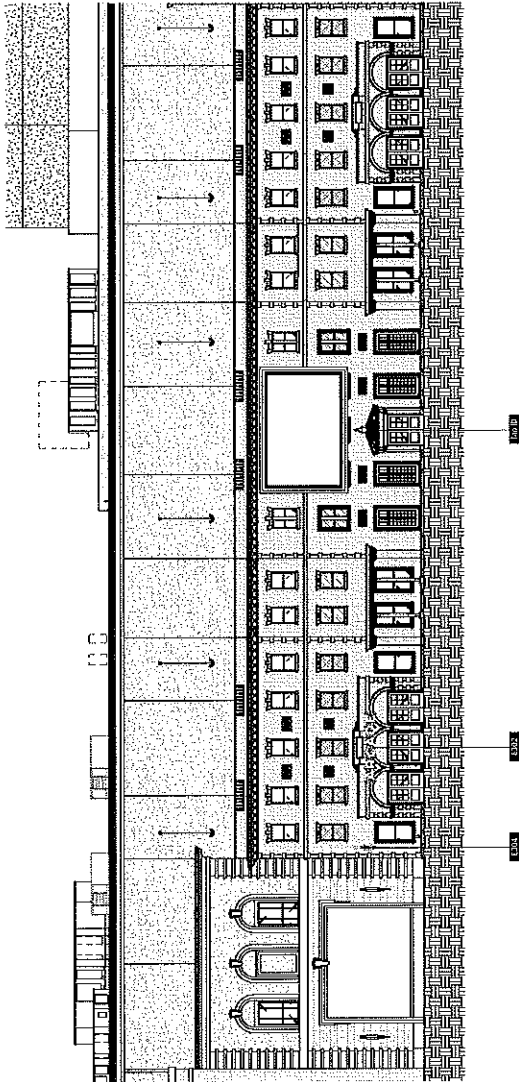
1 City Review Drawings
23 June 2017

DRAWING TITLE

East Elevation
Podium Area 'G'

DRAWING NO.

04



10 EAST ELEVATION: PODIUM AREAS 'G'

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PROJECT

FM GRP-073
MGM Springfield

ISSUE TITLE DATE

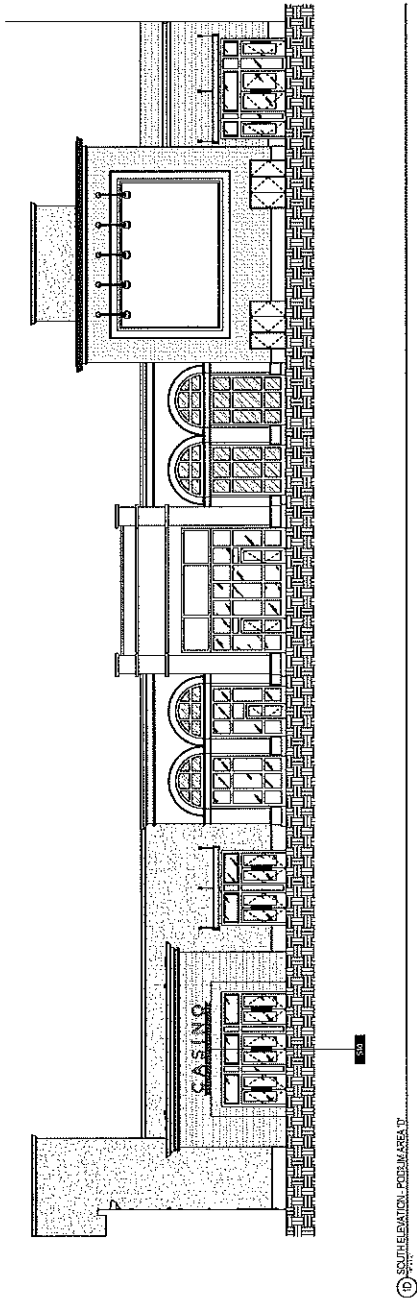
1 City Review Drawings
23 June 2017

DRAWING TITLE

South Elevation
Podium Area 'D'

DRAWING NO.

05



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FM GRP-073
MGM Springfield

ISSUE

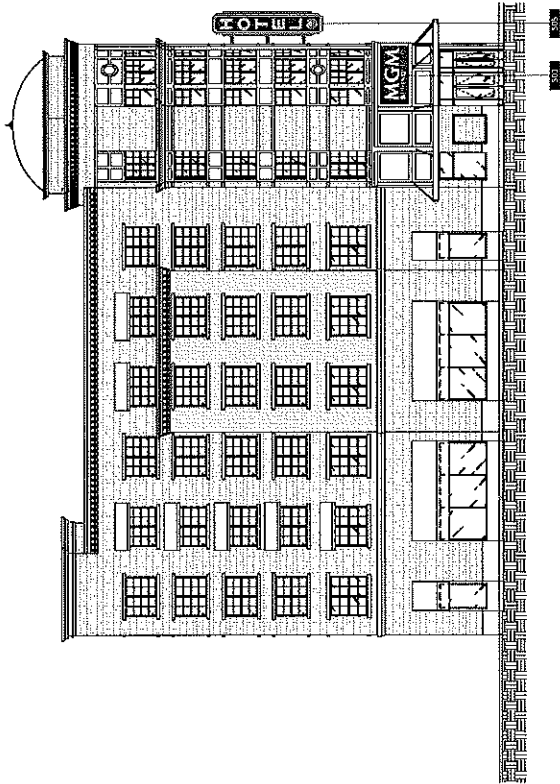
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City Review Drawings
23 June 2017

DRAWING TITLE

South Elevation
Podium Area 'B'

DRAWING NO.

06



1E SOUTH ELEVATION - PODIUM AREA 'B'

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PROJECT

FM, GRP-073
MGM Springfield

ISSUE TITLE DATE

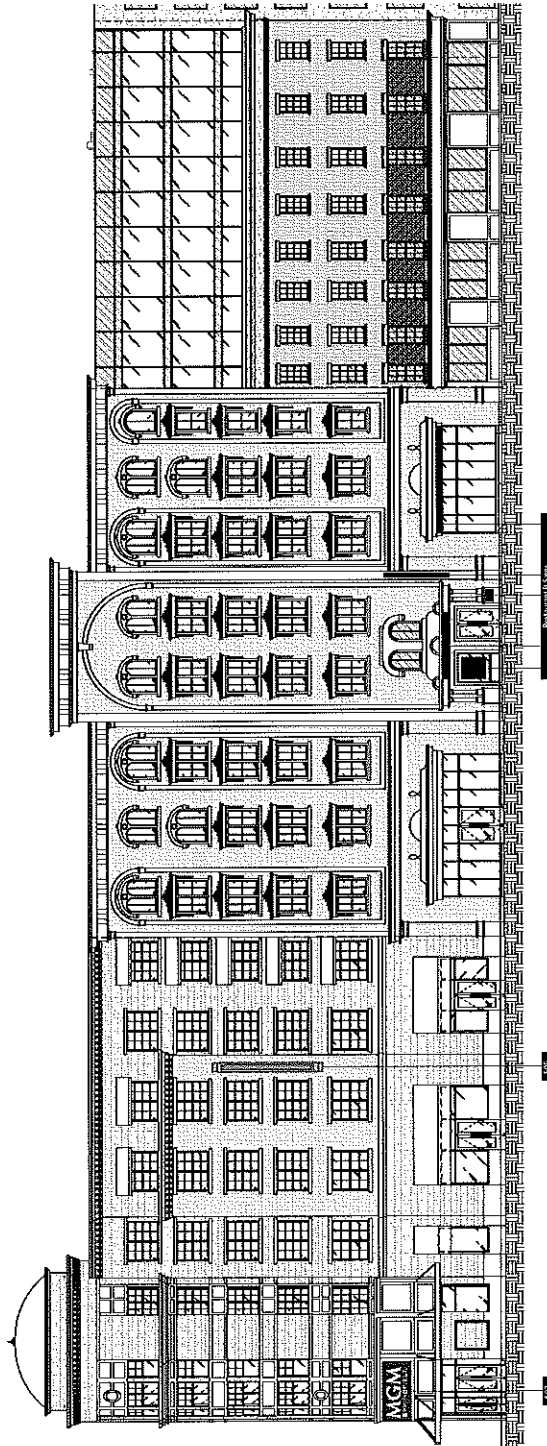
1 City Review Drawings
23 June 2017

DRAWING TITLE

East Elevation
Podium Area 'g'

DRAWING NO.

07



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Project

FM_GRP-073
MGM Springfield

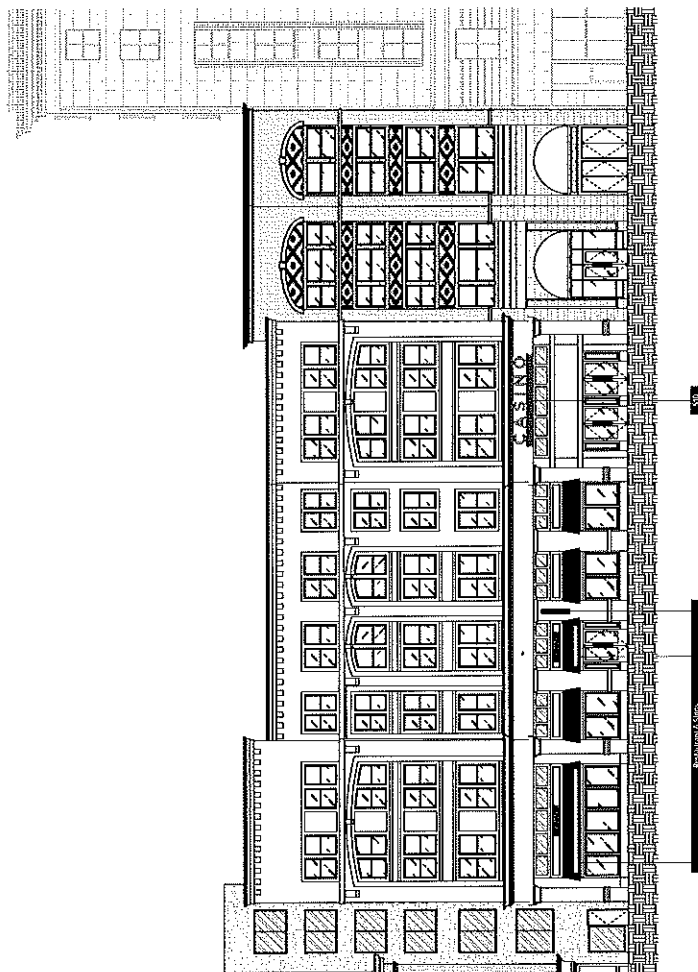
ISSUE	FILE / DATE
1	City Review Drawings 23 June 2017

THE PRINCIPLE

East Elevation
Podium Area 'A'

GRANVILLE, MO.

80



1E EAST ELEVATION - POOLUM AREA 'A'



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3928

TABLED

PETITION (ID # 3928)

For a Special Permit to Allow for the Construction of a New Fourteen (14) Unit Residential (Townhouse) Development at the Properties Known as SS Boston Road (01655-0693), WS Lamont Street (07470-0003) and ES Morton Street (08860-0134), as Allowed by the Springfield Zoning Ordinance, Article 4, Table 4-2 and Table 4-4, Section 2.3(1) and M.G.L.

Request:	See Above
Owner:	Nicholas L. Graham
By:	Nicholas L. Graham
Petitioner:	Nicholas L. Graham
By:	Nicholas L. Graham

HISTORY:

06/26/17 City Council

LAY ON TABLE

Next: 08/21/17

Councilor Marcus Williams moved to tabled the item. Seconded by Councilor Walsh

COMMENTS - Current Meeting:

Attorney Ellen Freyman, representing the petitioner, stated that they would like to have the matter continued to the November meeting.

Motion to continue by Councilor Edwards and Seconded by Councilor Walsh. Councilor Fenton abstained from the vote.

RESULT: CONTINUE

Next: 11/27/2017 7:00 PM

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a special permit to allow for the construction of a new fourteen (14) unit residential (townhouse) development at the properties known as SS Boston Road (01655-0693), WS Lamont Street (07470-0003) and ES Morton Street (08860-0134), as allowed by the Springfield Zoning Ordinance, Article 4, Table 4-2 and Table 4-4, Section 2.3(1) and M.G.L.

Mailing Address:

2622 Helena Street
Houston, TX 77006

Owner & Petitioner:

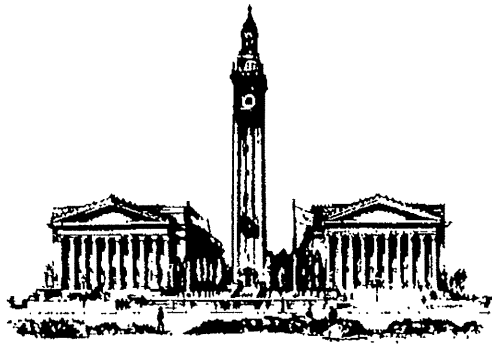
Nicholas L. Graham

I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

BY: _____

Nicholas L. Graham

Attachment: SS_Boston_Rd_Tax_Formal (3928 : SS Boston Road)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

4/3/2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit : SS Boston Road
Petitioner : Nick Graham
Landlord : Nick Graham

Stephen J. Loneragan: Treasurer/Collector

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**461 BOSTON ROAD (01655-0693), WS LAMONT STREET (07470-0003) &
ES MORTON STREET (08860-0124)**

RESIDENTIAL DEVELOPMENT WITH TEN (10) OR MORE UNITS

General Information

Petitioner:	Nick Graham
Request:	For the construction of a fourteen (14) unit, residential townhouse development.
Proposed use of the property:	Townhouse development
Property Size:	39,310 s.f.
Compatibility with current planning documents:	The Pine Point Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Pine Point Community Council: 4-5-17
Tax Status:	SEE ATTACHED
Site Visit:	6-8-17
Hearing Date:	6-26-17

Staff Analysis

Neighborhood characteristics:

The property is located in the Pine Point Neighborhood and is located in an area that has a mix of both commercial and residential uses.

To the north is a retail operation and a former car dealership zoned Business A.
To the south are single family homes zoned Residence A.
To the east is a retail operation zoned Business A.
To the west is a gas station zoned Business A.

Site plan review:

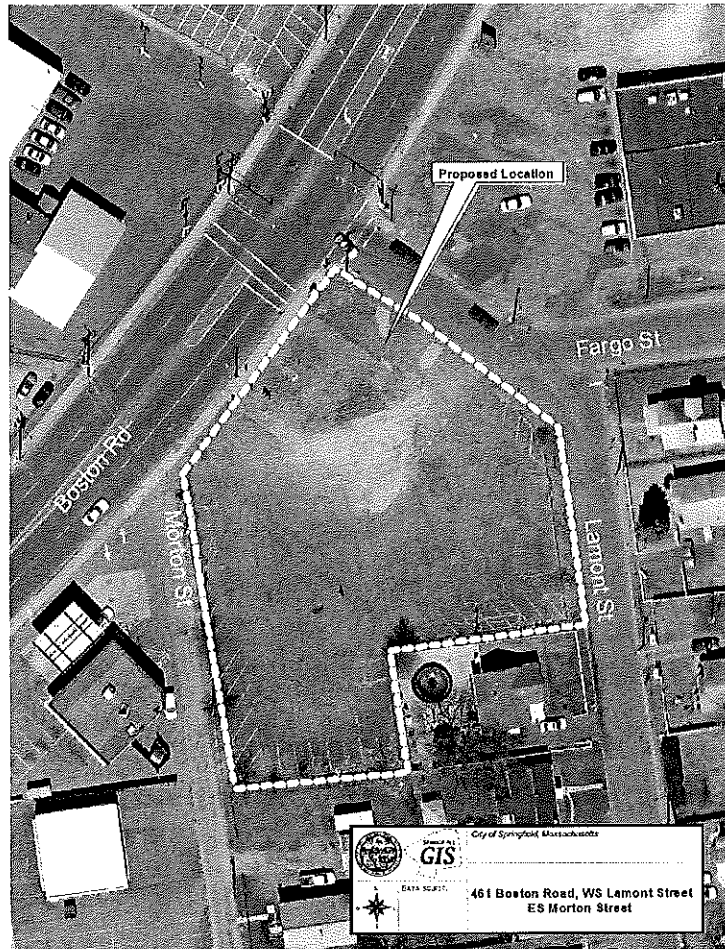
The petitioner has submitted plans for the construction of a new, fourteen (14) unit, townhouse development at the properties known as 461 Boston Road, WS Lamont Street and ES Morton Street. This site has been vacant for a number of years and was the former location of Russell's Restaurant. As per the revised Springfield Zoning Ordinance, a special permit is required for the construction of a residential development with ten (10) or more units.

As noted, under the revised zoning, a special permit is now required for this proposed development as it is

proposing fourteen (14) units. Under the previous version of the zoning, this development was only required to obtain a Site Plan approval from the Springfield Planning Board. This development was reviewed and approved by the Planning Board on June 17, 2015. However, since the developer never pulled a building permit, the project was not protected when the Zoning Ordinance was amended in January 2017. As such, the project now falls under the new zoning requirements.

It is important to note that in addition to the special permit, the project will also require a zone change to Residence C. This is due to the fact the zoning now states that "...the portion of a residential building along street frontages shall be used only for non-residential purposes". This particular requirement applies to residential developments located within business zoned. Since this development does not meet this new requirement, a zone change to Residence C will be required.

As per the attached plans, the proposed residential units will be located along the perimeter of the site with an internal parking lot. The fourteen (14) units will be located in two (2) buildings facing Boston Road, one (1) building facing Lamont Street and two (2) buildings facing Morton Street. Again, as noted, the parking will be located behind the buildings.



As was noted above, the proposed project was fully reviewed by the Planning Board back in 2015. At that time, a number of discussions were held on the proposed design and layout of the buildings. One of the design discussions centered on the layout of the entrances, specifically in regards to the building facing Lamont Street. In a previous version of the plans, the building facing Lamont Street showed the rear of the building facing the street. The staff felt very strongly that the front of building needed to be facing Lamont Street. As noted during the site visit, the existing homes along Lamont Street all have front doors facing the street; therefore, the staff firmly believes that this new development should reflect the existing pattern.

Additionally, the elevations submitted had indicated that there were going to be no windows being installed on the side of the buildings. The staff believes that windowless elevations are not in keeping with the overall architecture of the surrounding neighborhood. As with all new housing developments that the staff reviews, one of the key elements is that the new development reflects the context in which it is being constructed. The staff certainly understands that there are limitations to this desire but believe strongly that windows can be installed to the side of the building and installed without a significant increase to the overall development costs. The staff also believes that windows help toward the overall marketability of the proposed development.

After a number of discussions with the developer it was agreed upon the building along Lamont Street would have the entrances facing the street and that additional windows would be installed on the side elevations. These were also made conditions of the approval. If this special permit is approved by the City Council, the

staff would also suggest these conditions be added.

Lastly, with regards to the proposed fencing, the plans submitted indicated that a six (6) foot high, vinyl stockade fence will be installed around the property. The proposed fencing will run along the rear of the building along Morton Street and along the southern property line. The fencing will not run in front the buildings along Lamont Street or Boston Road.

Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted solely for the construction of a fourteen (14) unit, residential townhouse development at the properties known as 461 Boston Road (01655-0693), WS Lamont Street (07470-0003) and ES Morton Street (08860-0124).
2. The use shall be developed in accordance to the attached site plans and elevations, with the addition of conditions #4 and #14.
3. The three (3) units along Lamont Street shall be aligned to have the front doors and porches facing Lamont Street.
4. A three (3) foot-wide, landscape buffer, planted with arborvitae shrubs, three (3) feet on center, shall be installed along the southern property line. All the remaining landscaping shall be installed as per the attached plans.
5. All landscaping and turfed areas shall be irrigated.
6. Fencing shall be installed as per the attached plans.
7. The site shall be maintained free of all trash, litter, debris and overgrown vegetation.
8. Any and all public tree belts and sidewalks shall be maintained, including snow removal.
9. In addition to the special permit approval, a full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit.
10. Windows shall be included on all side elevations.
11. Any and all building permits, including sign permits shall be obtained, prior to start of construction.
12. The property management information, including an address and telephone number, shall be provided to the Springfield Police Department.
13. Any and all dumpsters shall be completely enclosed.
14. A zone change to Residence C shall be obtained, prior to the issuance of a building permit.
15. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$200 per day for each day a violation exists, denial of the issuance of a Certificate of Occupancy and/or possible revocation of permits issued.



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

4/3/2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

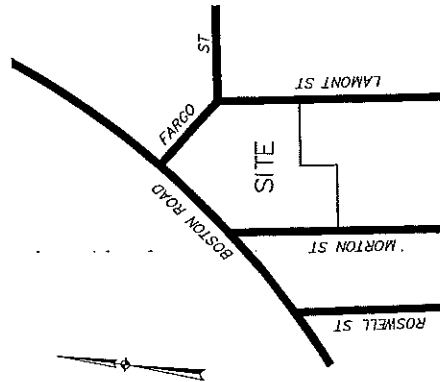
Special Permit : SS Boston Road
Petitioner : Nick Graham
Landlord : Nick Graham

A handwritten signature in black ink, appearing to read "Stephen J. Lonergan", is written over a horizontal line.

Stephen J. Lonergan: Treasurer/Collector

Townhouse Complex

461 Boston Road
Springfield, Massachusetts

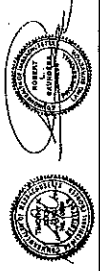


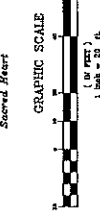
KEY MAP
1"=50'

Prepared For
Mark Graham
305 McGowan Street Unit 3307
Houston, Texas 77006



SHEET TITLE	SHEET NO.	LATEST REVISION
CIVIL		
COVER SHEET	1 of 10	6-12-15
EXISTING CONDITIONS & DEMOLITION PLAN	2 of 10	6-12-15
LAYOUT PLAN	3 of 10	6-12-15
LANDSCAPE PLAN	4 of 10	6-12-15
GRADING PLAN & EROSION CONTROL PLAN	5 of 10	6-12-15
UTILITY PLAN	6 of 10	6-12-15
LIGHTING PLAN	7 of 10	6-12-15
DETAILS	8 of 10	6-12-15
DETAILS	9 of 10	6-12-15
DETAILS	10 of 10	4-24-15



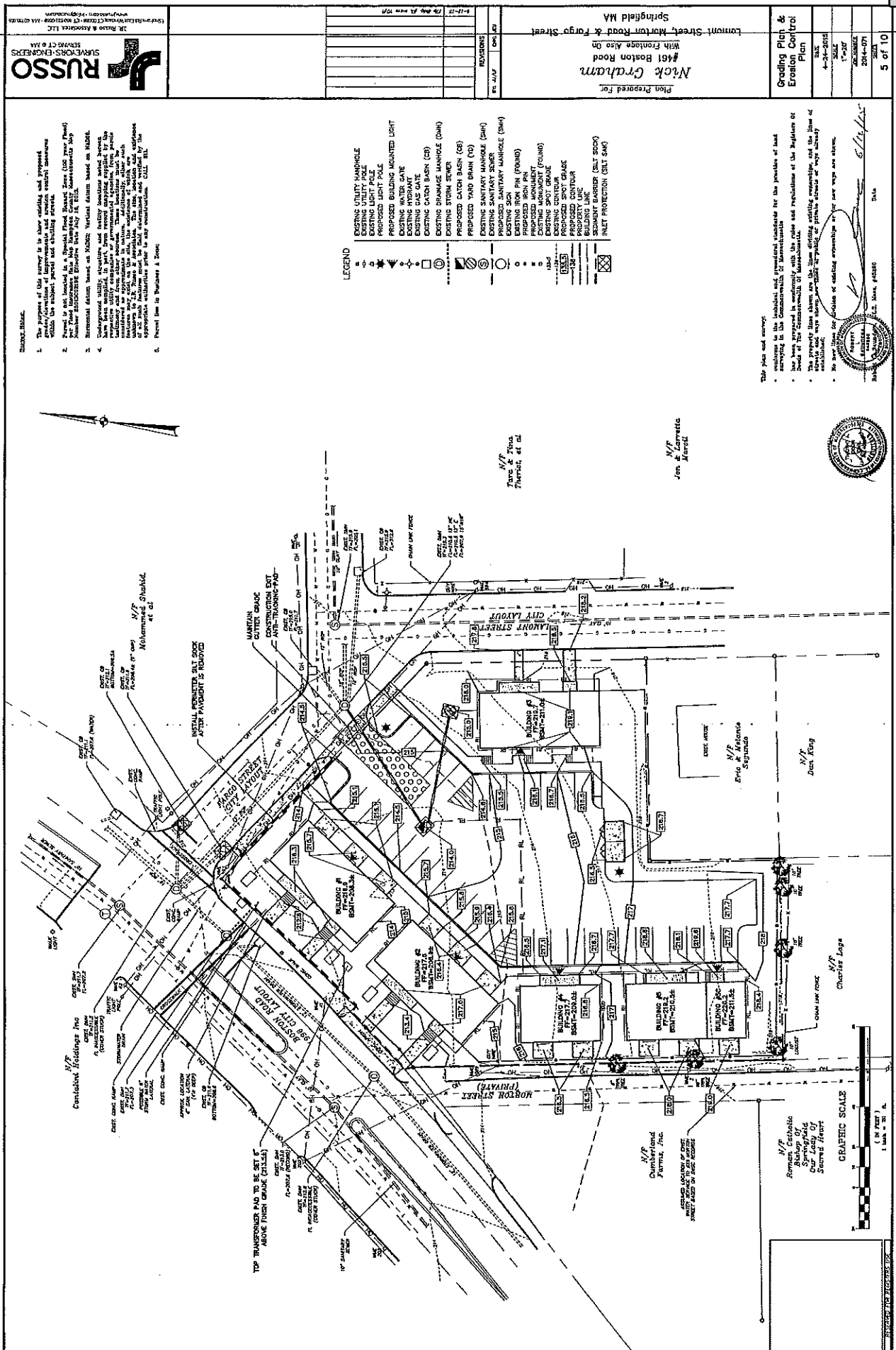


GRAPHIC SCALE

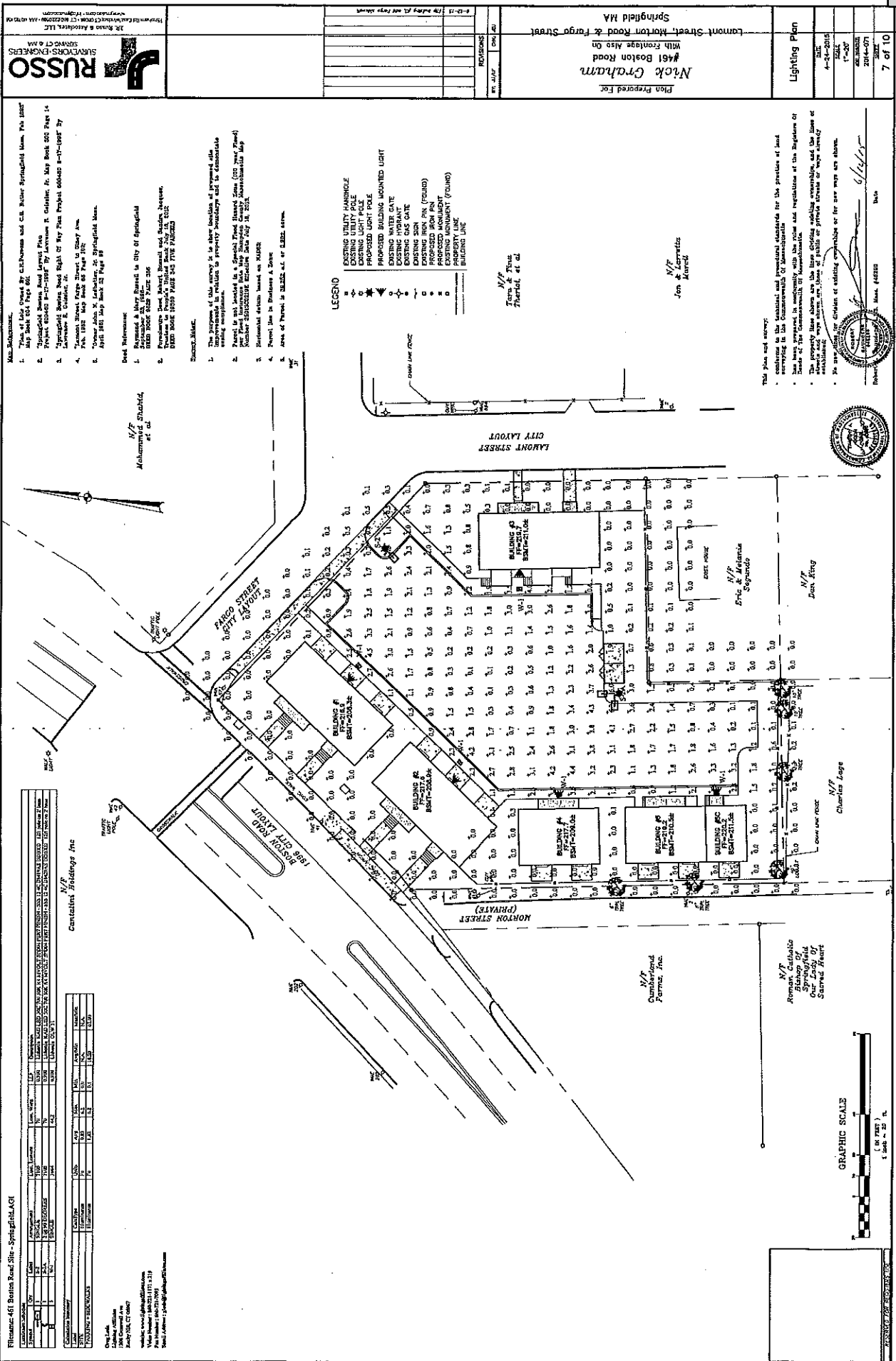
(IN FEET)

1 inch = 20 ft.

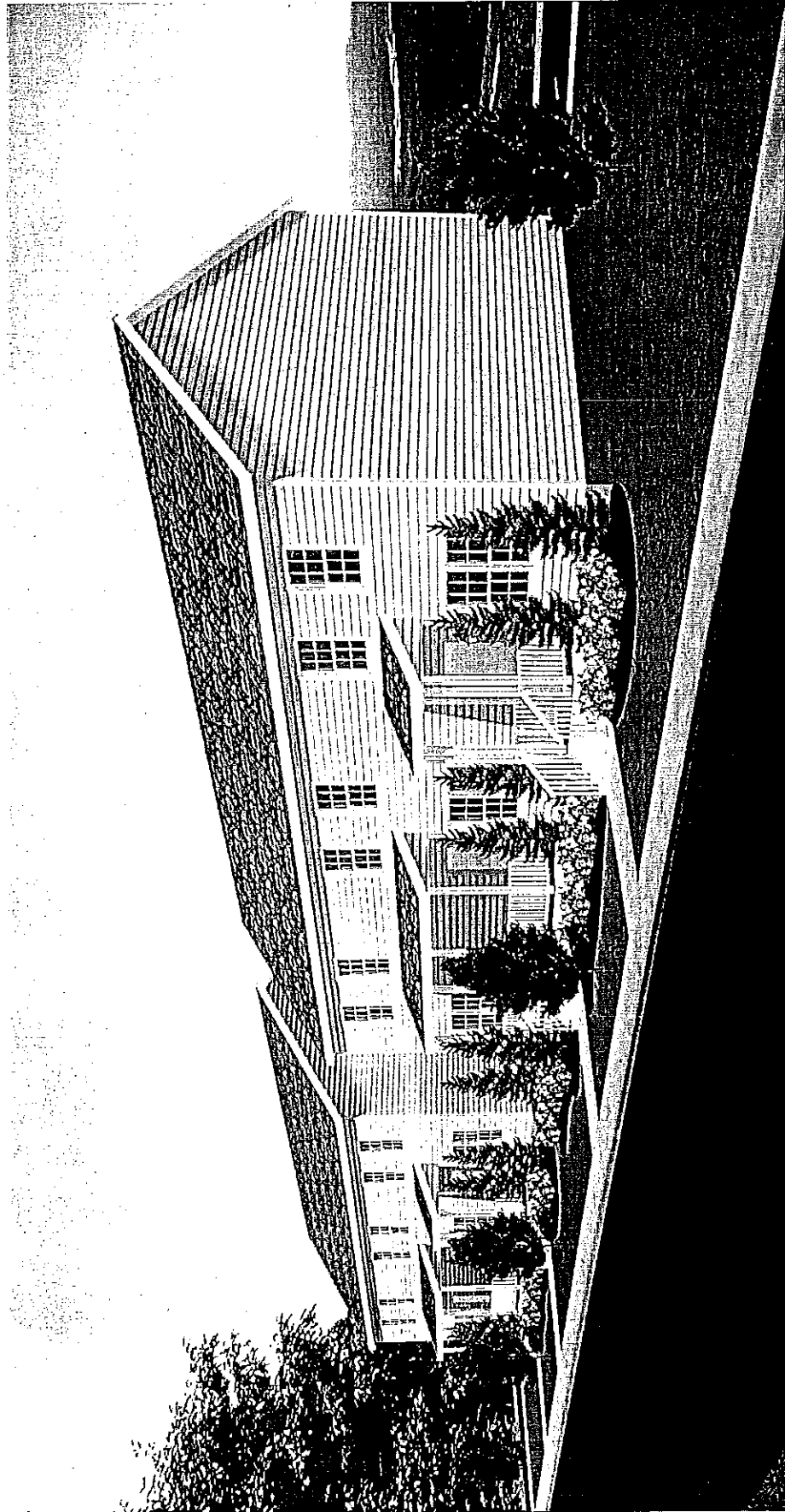








WINDOWS TO BE INCLUDED ON SIDE ELEVATIONS



Drawn For:
Nick Graham
The Student Rental
306 McGowan St Unit 3307
413-244-0766

Drawings Provided by:
Avalon Building Systems
3 Porter Street, Suite 201
Stoughton, MA 02072
781-344-4875

REVISED:

DATE:
5/14/15

SCALE:

SHEET:

16.b

SHEET:

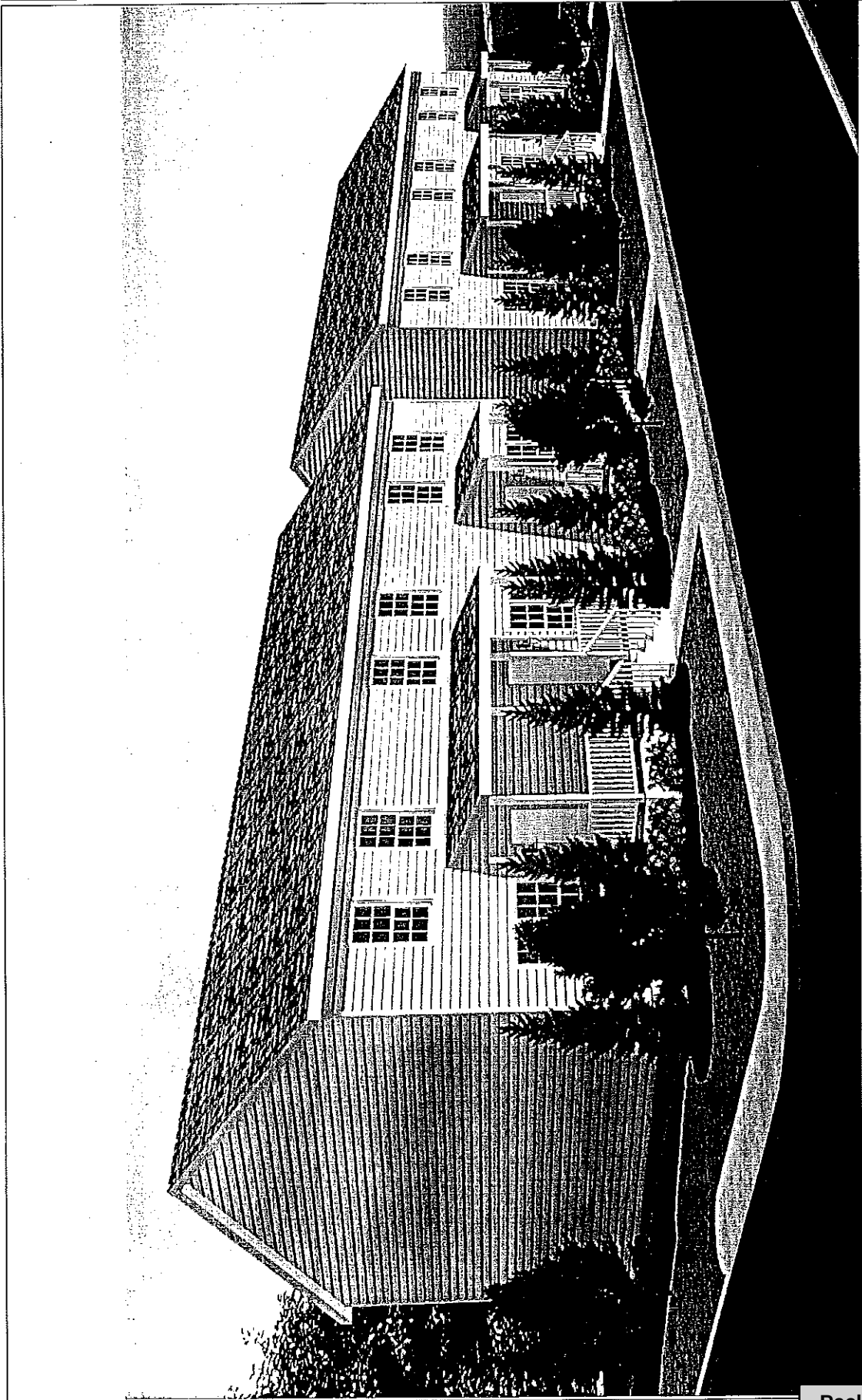
SCALE:

DATE:
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REVISED:

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413-244-0766



SHEET:

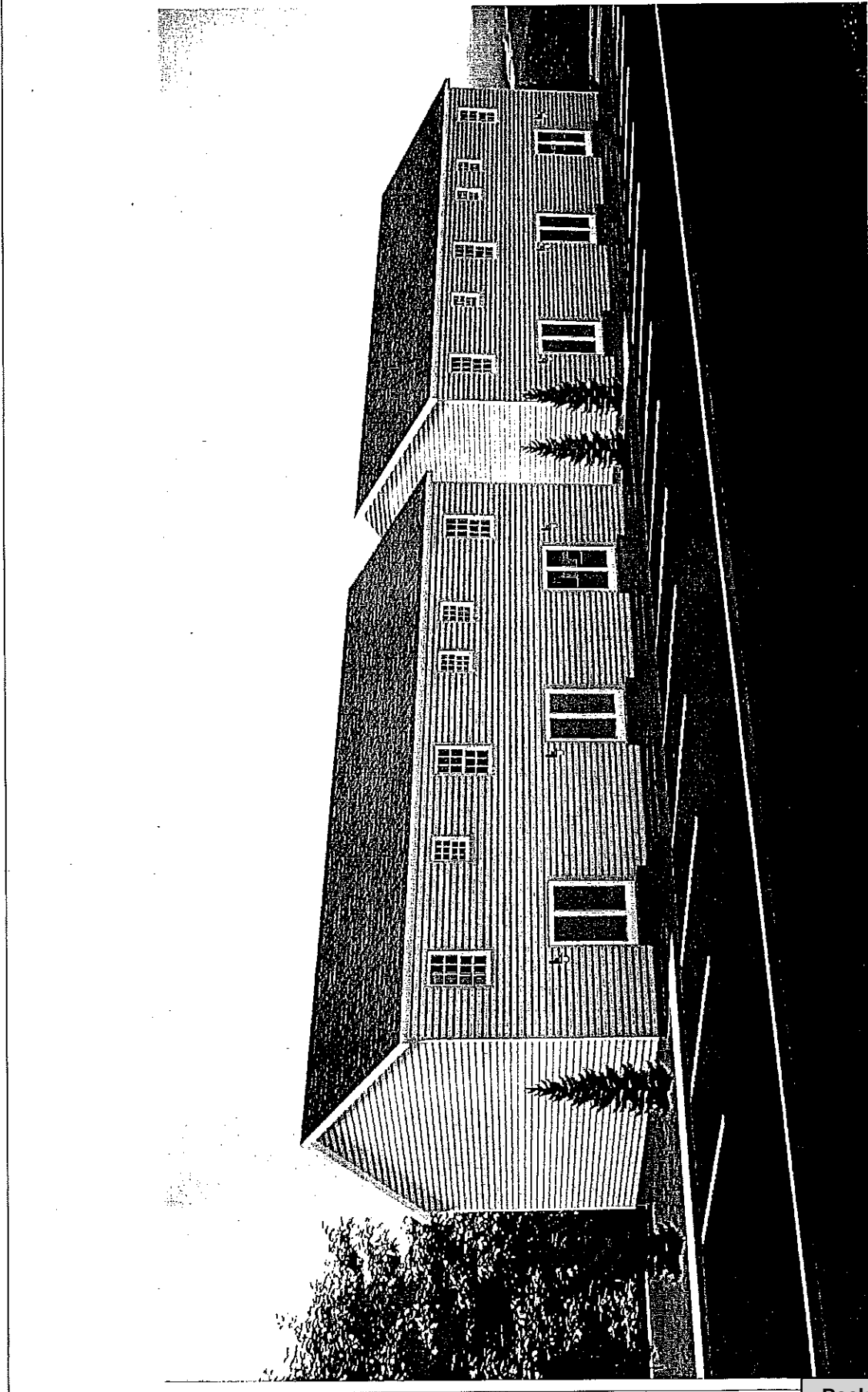
SCALE:

DATE:
5/14/15

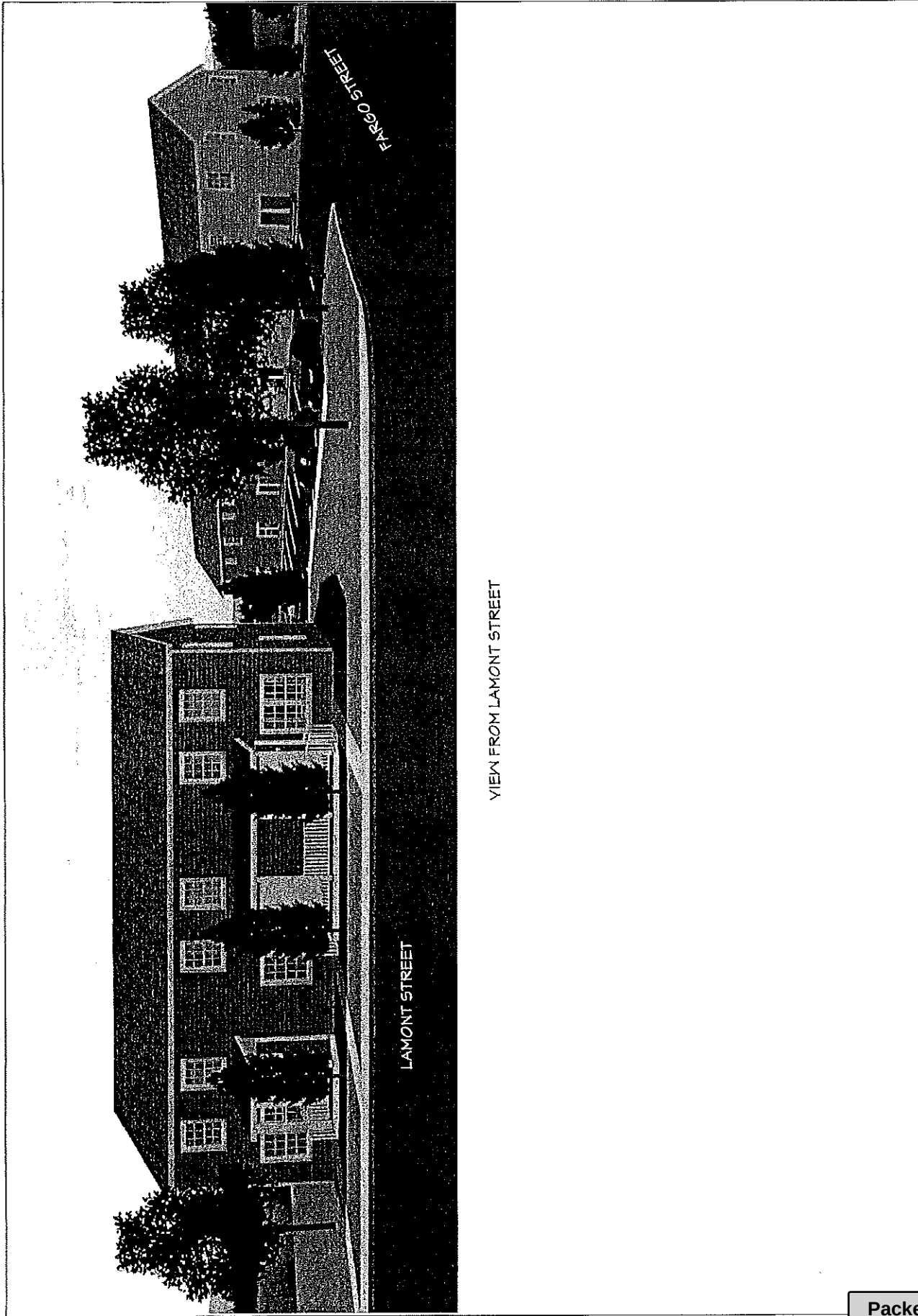
REVISED:

Drawings Provided by:
Avalon Building Systems
3 Porter Street, Suite 201
Stoughton, MA 02072
781-344-4875

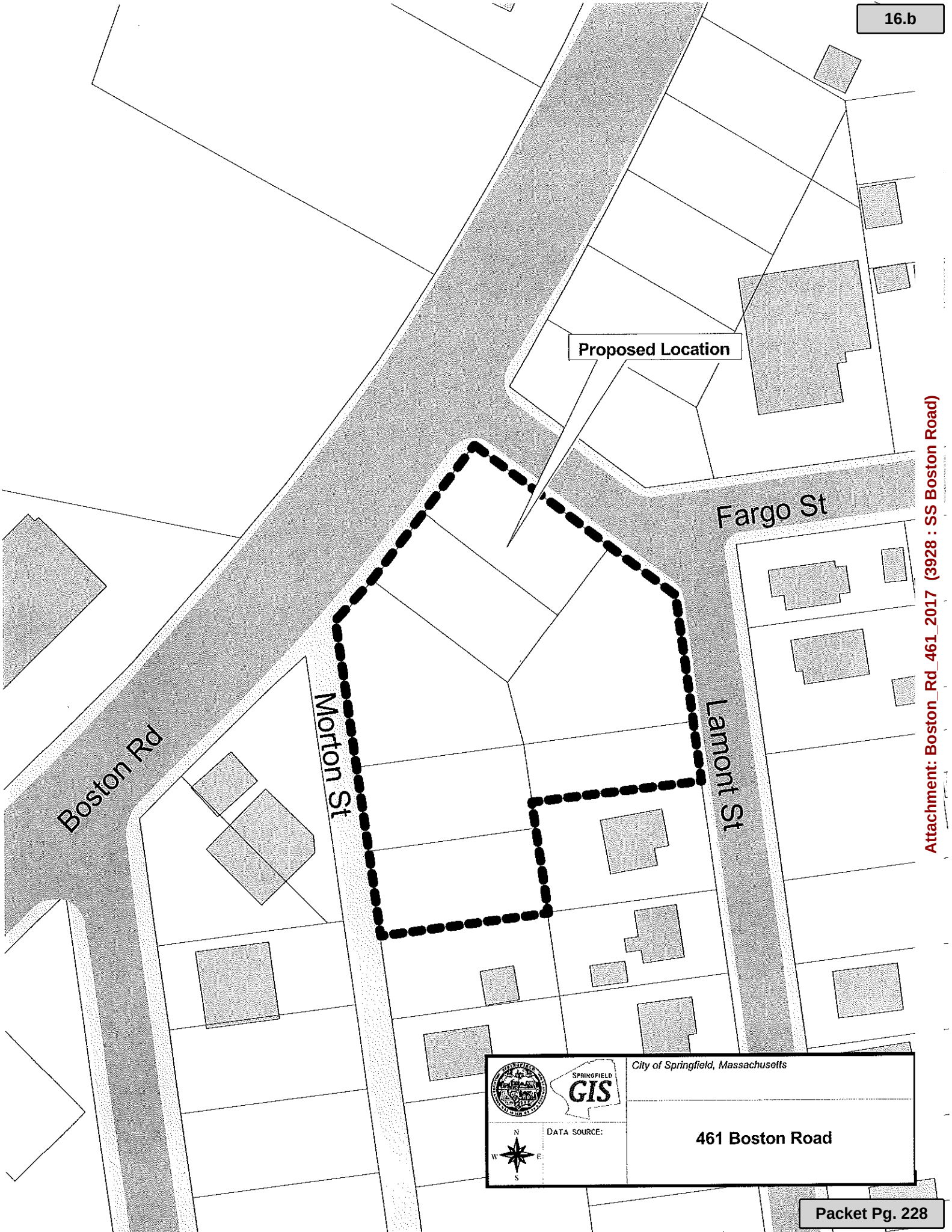
Drawn For:
Nick Graham
The Student Rental
306 McGowan St Unit 3307
413-244-0766



Drawn For: Nick Graham The Student Rental 306 McGowan St Unit 3307 413-244-0766	Drawings Provided by: Avalon Building Systems 3 Porter Street, Suite 201 Stoughton, MA 02072 781-344-4875	REVISED:	DATE: 5/14/15	SCALE:	SHEET: /
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VIEW FROM LAMONT STREET



Attachment: Boston_Rd_461_2017 (3928 : SS Boston Road)



SPRINGFIELD
GIS

City of Springfield, Massachusetts

461 Boston Road

N
W E S

DATA SOURCE:

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE**

**461 BOSTON ROAD (01655-0693), WS LAMONT STREET (07470-0003) &
ES MORTON STREET (08860-0124)**

BUSINESS A TO RESIDENCE C

GENERAL INFORMATION

Applicant:	Nicholas L. Graham
Request:	Business A to Residence C
Location:	461 Boston Road, WS Lamont Street and ES Morton Street
Parcel Size:	39,310 s.f.
Purpose:	Multi-family homes
Surrounding Land Use and Zoning:	The property is located in the Pine Point Neighborhood and is located in an area with a mix of commercial and residential uses. The surrounding land uses include: To the north is a retail operation and a car dealership zoned Business A. To the south are single family homes zoned Residence A. To the east is a retail operation zoned Business A. To the west is a gas station zoned Business A.
Comprehensive/ Neighborhood Plan:	The Pine Point Neighborhood Plan shows no changes to this area.
Site Visit:	4-24-17
Neighborhood Council Notification:	Pine Point Neighborhood Council: 4-18-17
Planning Board Hearing Date:	5-3-17

SPECIAL INFORMATION

Traffic & Parking:	N/A
Physical Characteristics:	N/A
Other Notes:	N/A

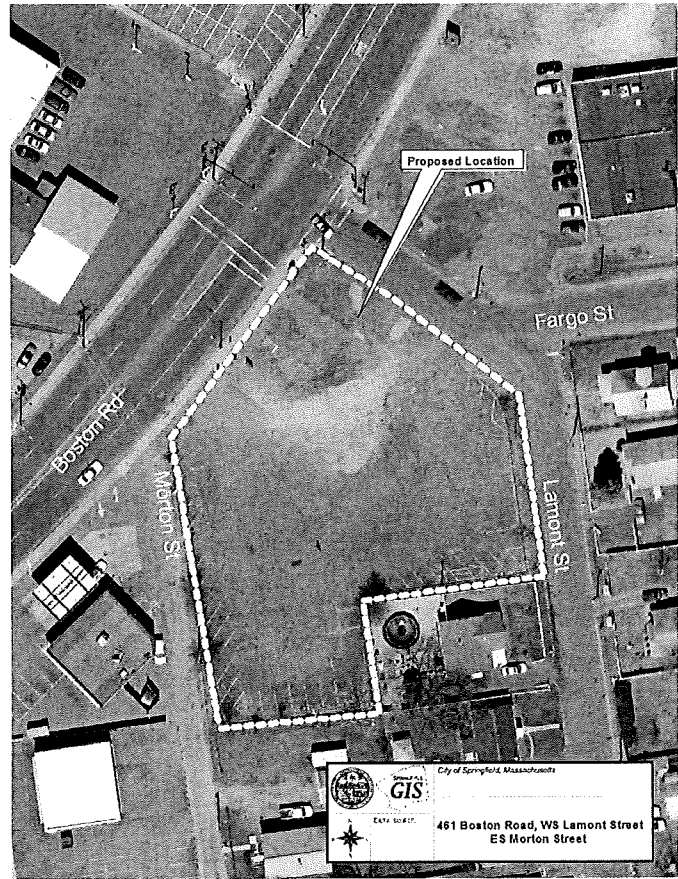
ANALYSIS

The petitioner has requested to change the zoning of the properties known as 461 Boston Road, WS Lamont Street and ES Morton Street from Business A to Residence C. The site was the former location of Russel's Restaurant. The existing building was demolished and plans have now been submitted for a new, fourteen (14) unit townhouse development.

It should be noted that this proposed development was reviewed and approved by the Springfield Planning Board back in June 2015 (see attached approval letter). This review was completed under a Tier 2-Planning Board Site Plan Review.

Due to the fact that a Building Permit was never obtained by the developer, the project now falls under the new Zoning requirements that were approved by the City Council back in January 2017. Under the recent revisions to the Zoning Ordinance, the project now requires a zone change as well as a special permit.

As noted above, the developer has submitted plans for a new, fourteen (14) unit townhouse development. As per the attached plans there will be a total of five (5) townhouse units located on the property. There are proposed to be two (2) building along Boston Road which will contain three (3) units each; one building along Lamont Street, which will contain three (3) units and two (2) building along Morton Street. One building will contain two (2) units and the second building will contain three (3) units.



During the Planning Board Site Plan Review process which took place back in 2015, a number of discussions were held on the design. Much of these discussions were centered along the design of the buildings and the direction each building was to face. In a previous version of the plans, the units along Lamont Street were planned with the back of the buildings facing Lamont Street. The Board as well as the staff raised concerns about this design and ultimately a revised plan was submitted. While there were other design issues discussed, it should be noted that those will be further addressed as part of the special permit process.



After visiting the site and reviewing the proposed plans, the staff does not object to the proposed zone change. While there is no Residence C directly adjacent to this site, there are a number of clusters of Residence C zoning found throughout this area. This was done to allow for a more diverse housing type and style. Again, due to the fact that this project will also require a special permit, additional conditions can be placed on this development which help to ensure a proper design and site layout that will help blend this project into the existing residential neighborhood.

In visiting the site, it should be noted that the property is in need of maintenance. There is a larger amount of overgrown vegetation as well as trash and debris on the site. It was also noted that a section of the fence is missing.

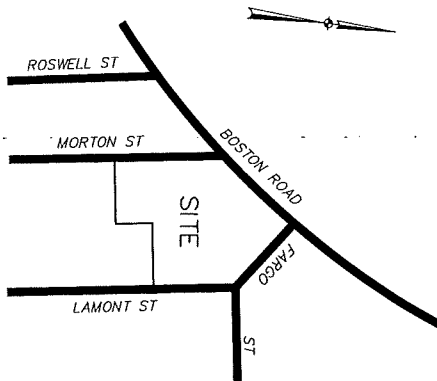
RECOMMENDATION

Approve.

Townhouse Complex

461 Boston Road

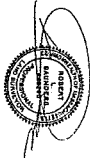
Springfield, Massachusetts



KEY MAP

SHEET TITLE	SHEET NO.	LATEST REVISION
Civil		
COVER SHEET	1 of 10	6-12-15
EXISTING CONDITIONS & DEMOLITION PLAN	2 of 10	6-12-15
LAYOUT PLAN	3 of 10	6-12-15
LANDSCAPE PLAN	4 of 10	6-12-15
GRADING PLAN & EROSION CONTROL PLAN	5 of 10	6-12-15
UTILITY PLAN	6 of 10	6-12-15
DEMOLITION PLAN	7 of 10	6-12-15
DETAILS	8 of 10	6-12-15
DETAILS	9 of 10	6-12-15
DETAILS	10 of 10	4-24-15

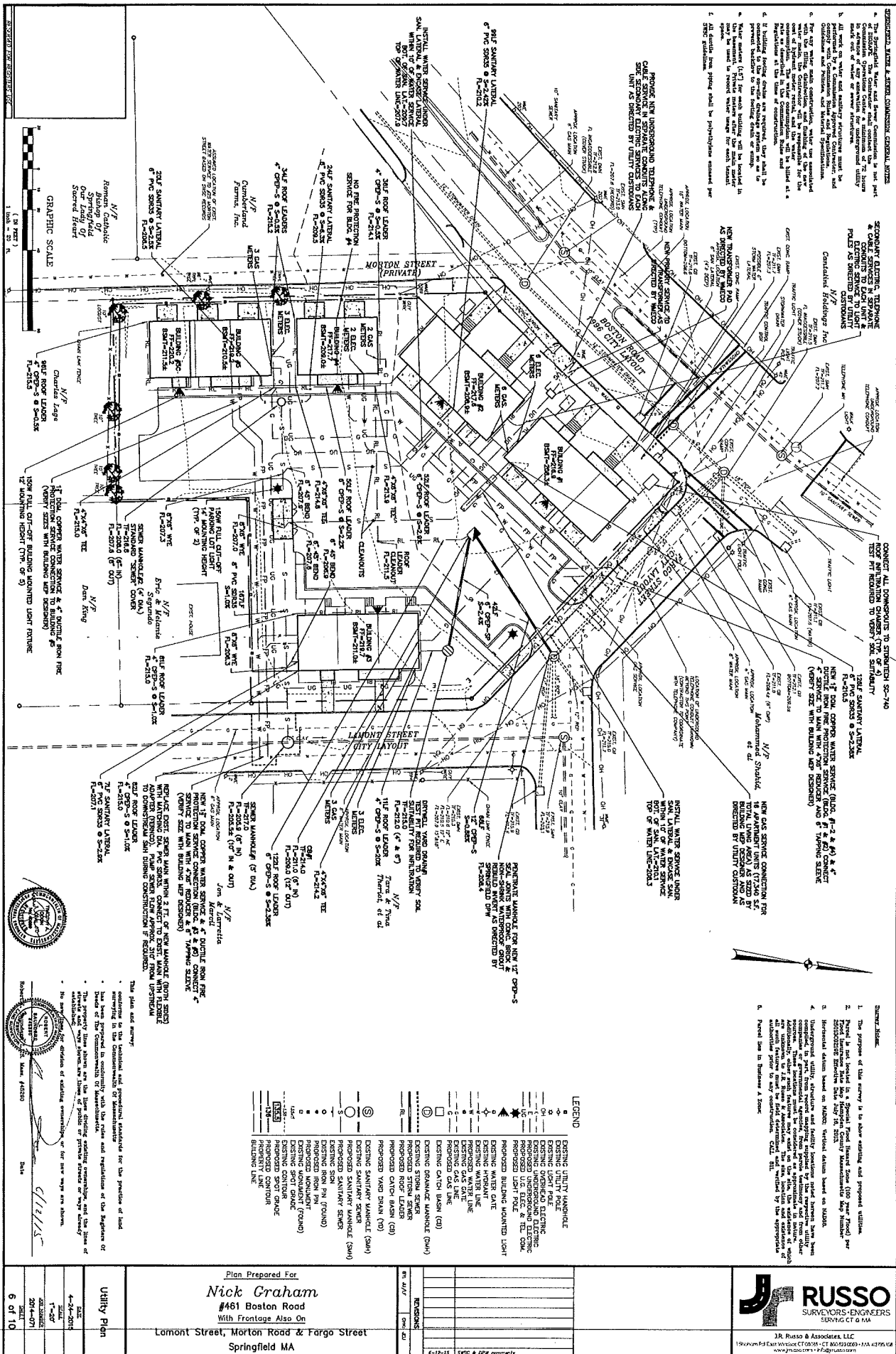
Prepared For
Nick Graham
306 McGowan Street Unit 3307
Houston, Texas 77006

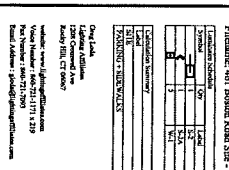


Packet Pg. 234

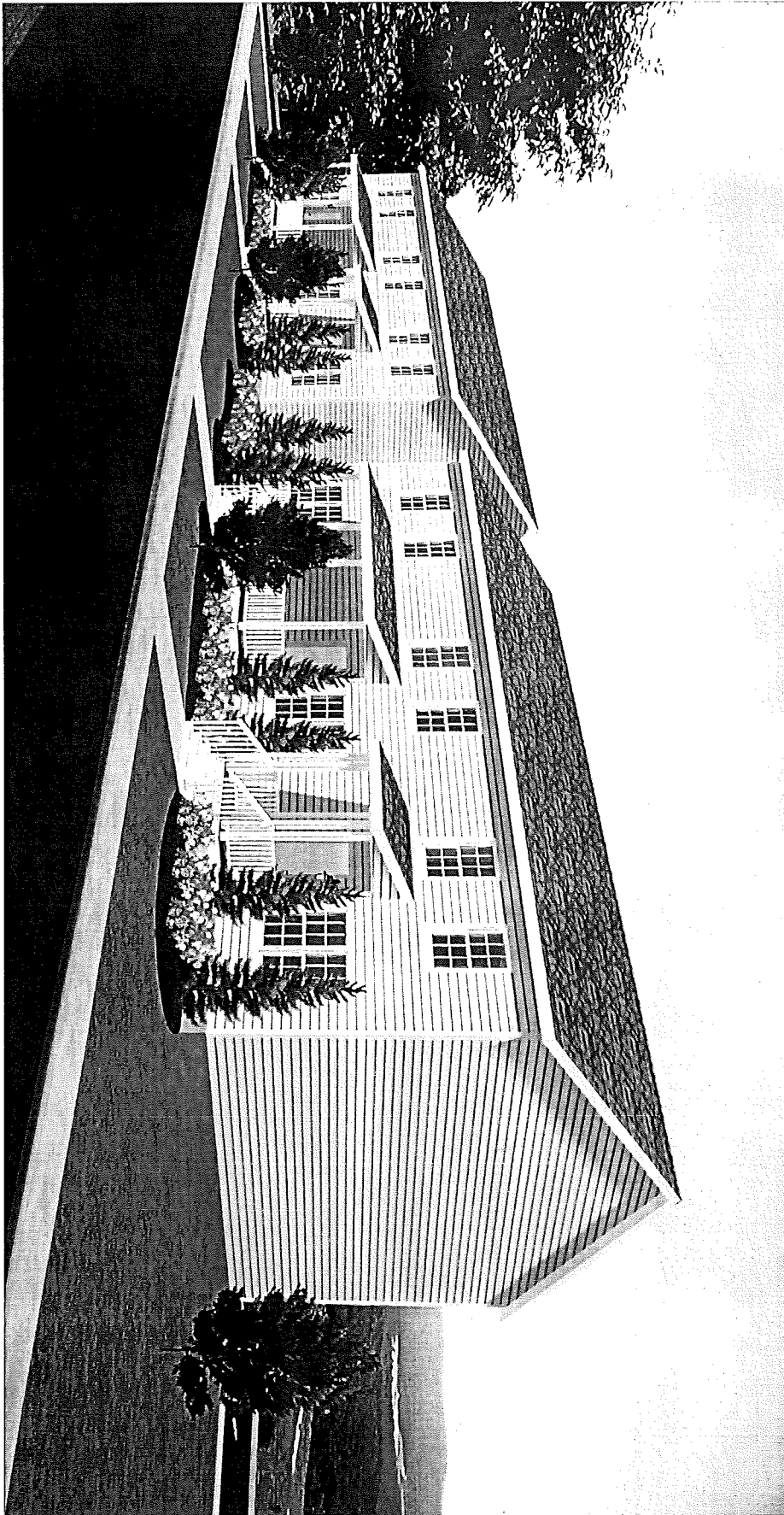








WINDOWS TO BE INCLUDED ON SIDE ELEVATIONS



Attachment: 3188_Boston_Rd_461_2017_CC (3964 : SS Boston Road)

Drawings Provided by:
Avalon Building Systems
3 Porter Street, Suite 201
Stoughton, MA 02072
781-344-4875

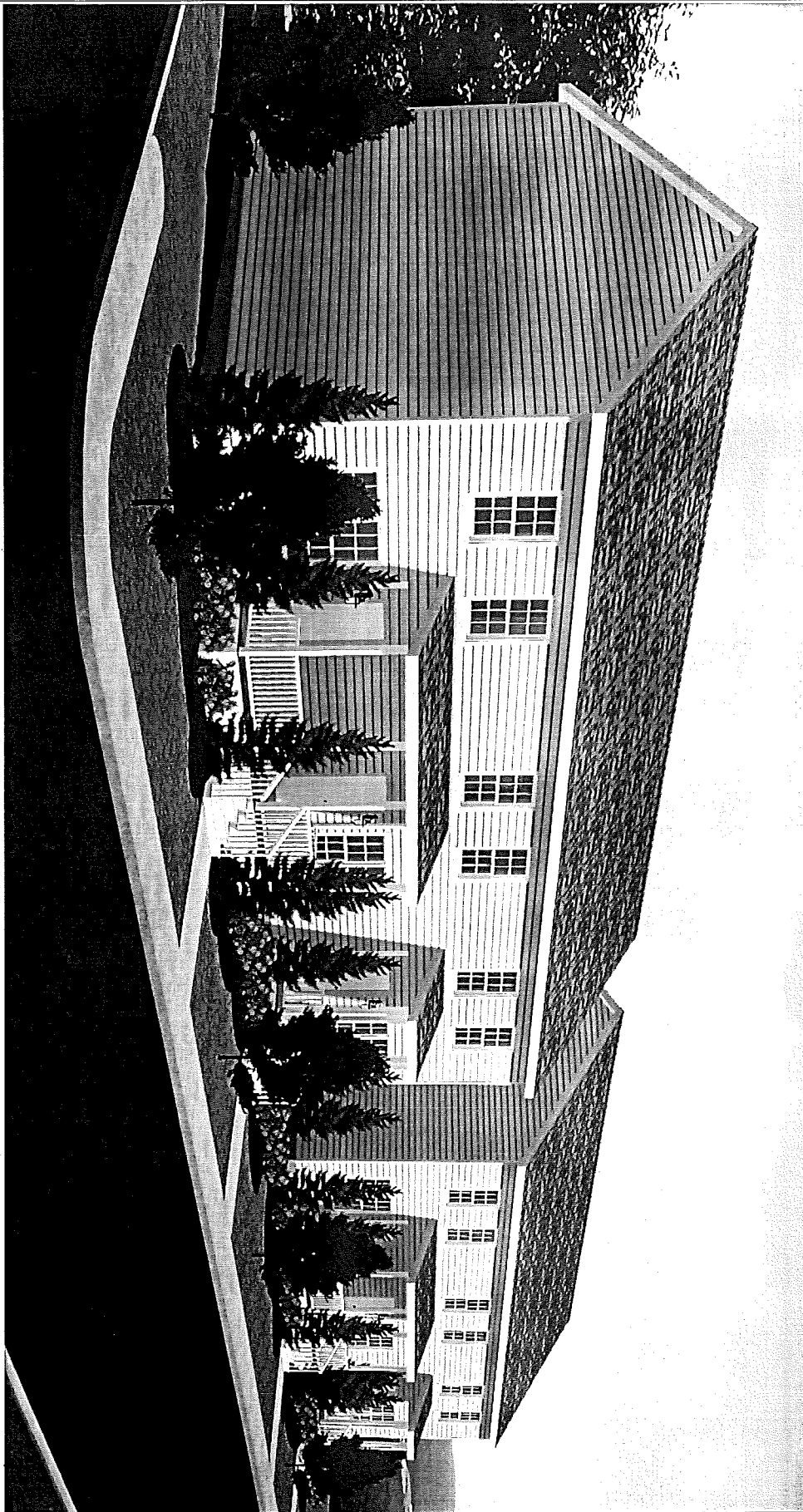
Drawn For:
Nick Graham
TheStudentRental
306 McGowan St Unit 3307
413-244-0766

REVISED:

DATE:
5/14/15

SCALE:

SHEET:



Attachment: 3188_Boston_Rd_461_2017_CC (3964 : SS Boston Road)



SHEET:

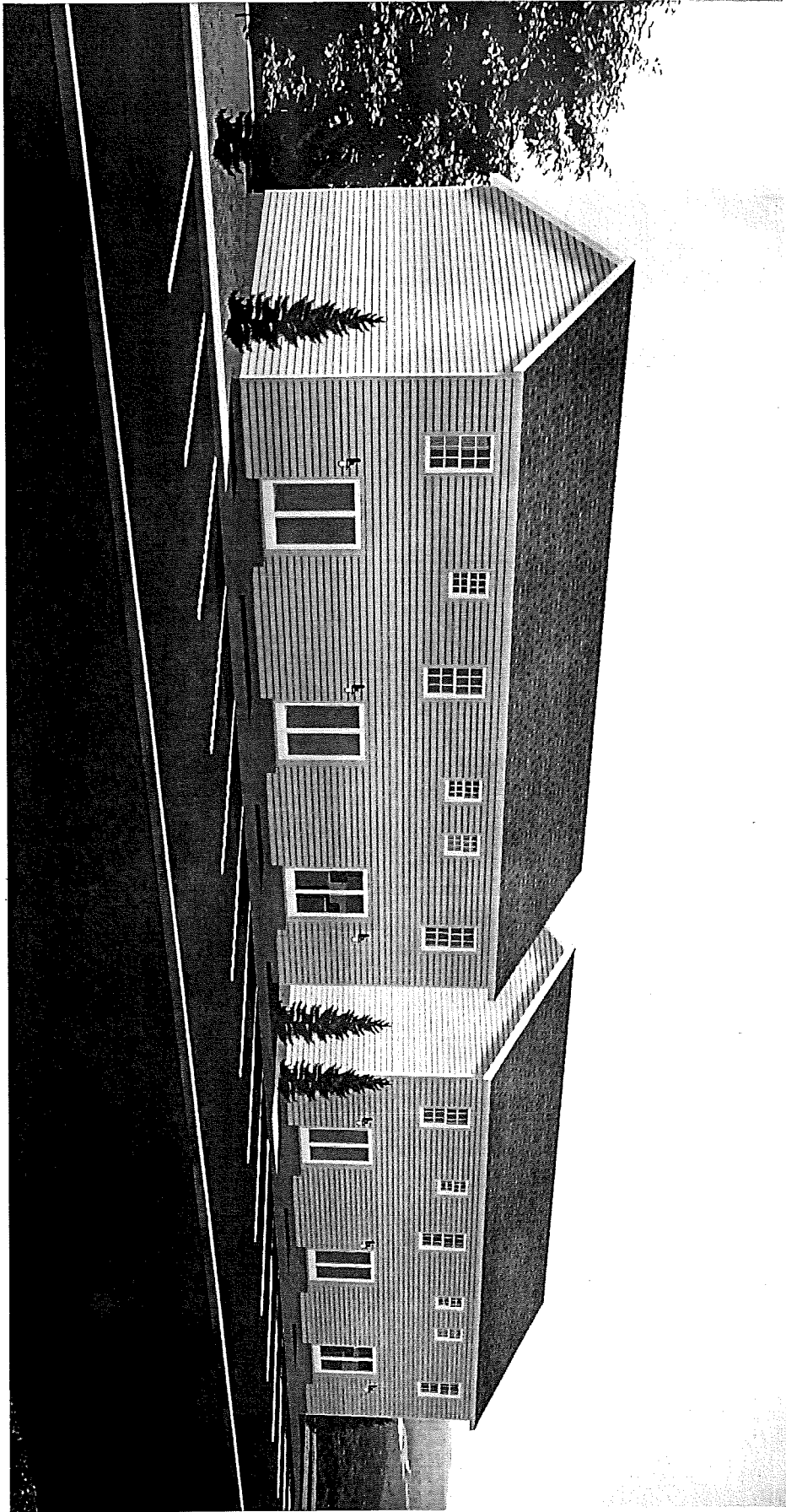
SCALE:

DATE:
5/14/15

REVISED:

Drawings Provided by:
Avalon Building Systems
3 Porter Street, Suite 201
Stoughton, MA 02072
781-344-4875

Drawn For:
Nick Graham
TheStudentRental
306 McGowan St Unit 3307
413-244-0766



Attachment: 3188_Boston_Rd_461_2017_CC (3964 : SS Boston Road)

SHEET:

SCALE:

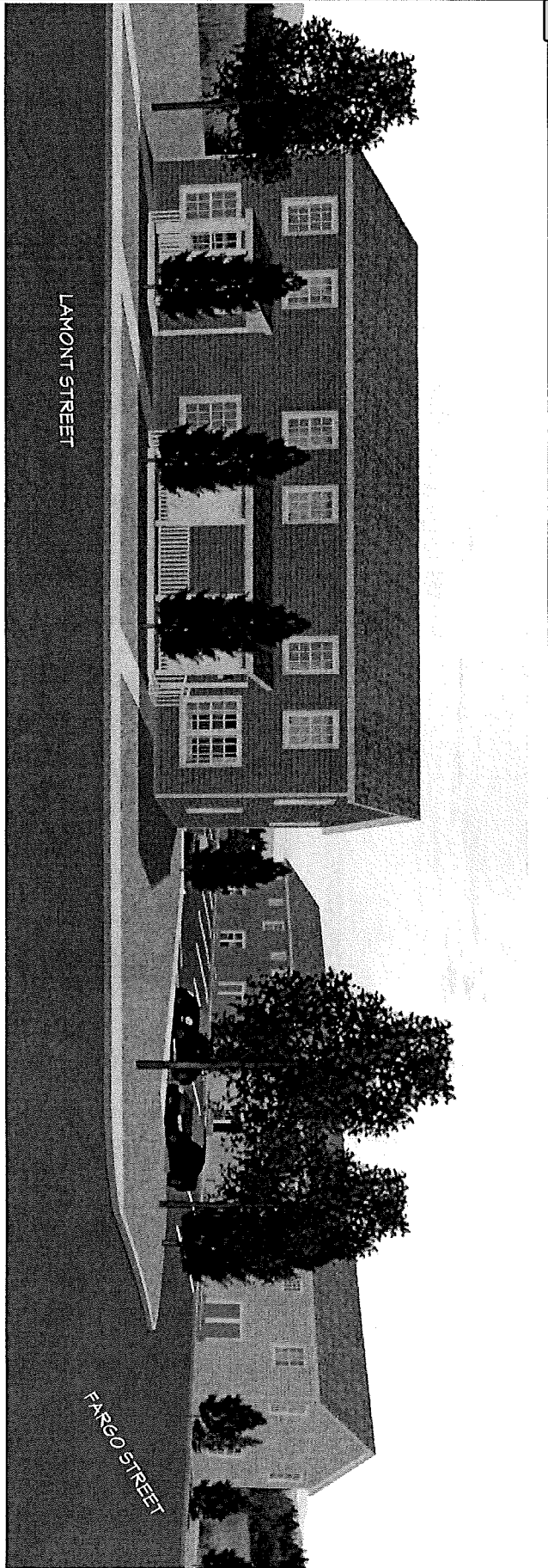
DATE:
5/14/15

REVISED:

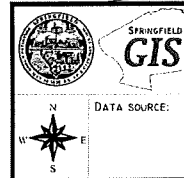
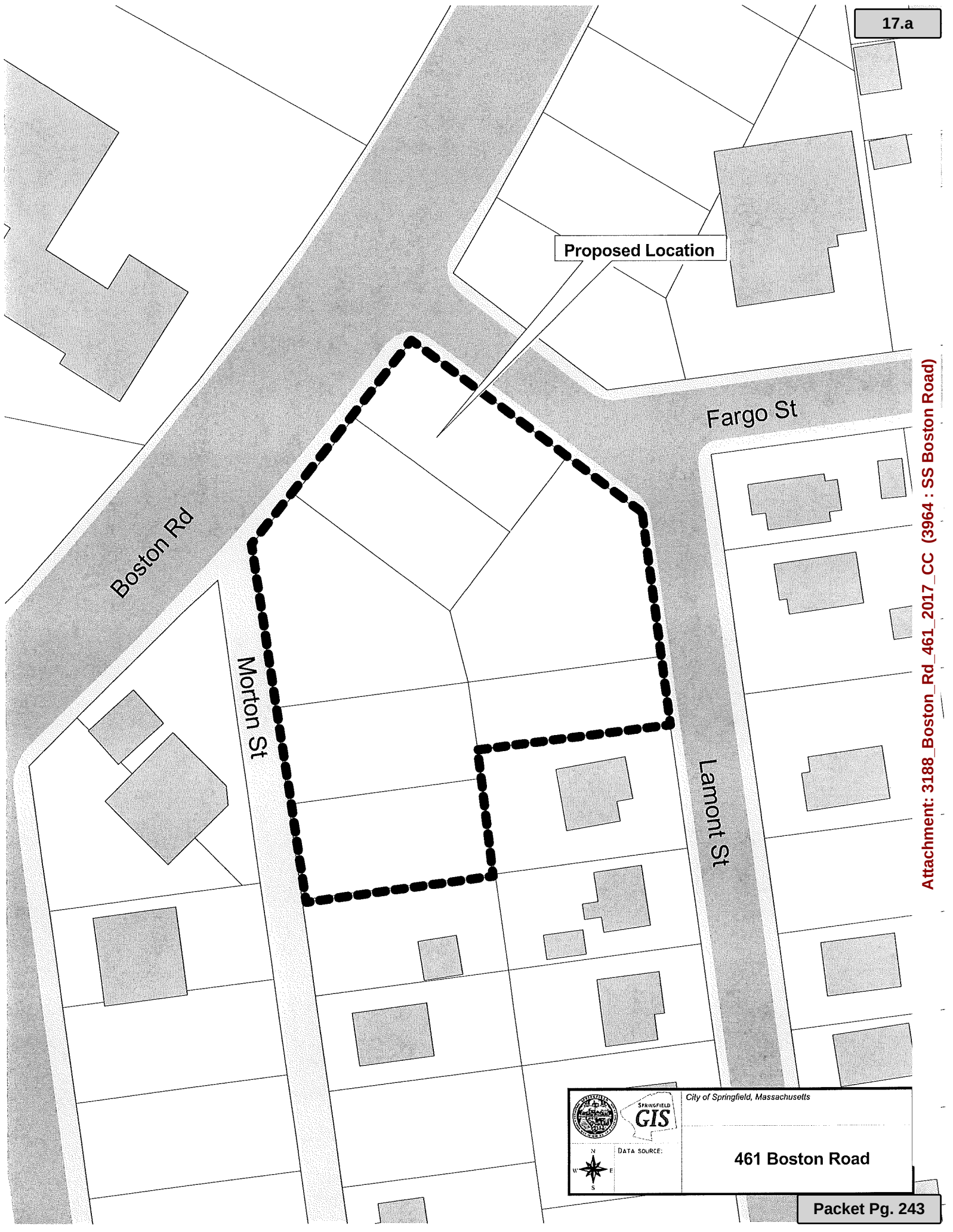
Drawings Provided by:
Avalon Building Systems
3 Porter Street, Suit 201
Stoughton, MA 02072
781-344-4875

Drawn For:
Nick Graham
TheStudentRental
306 McGowen St Unit 3307
413-244-0766

VIEW FROM LAMONT STREET



SHEET: 	SCALE:	DATE: 5/14/15	REVISED:	Drawings Provided by: Avalon Building Systems 3 Porter Street, Suit 201 Stoughton, MA 02072 781-344-4875	Drawn For: Nick Graham TheStudentRental 306 McGowen St Unit 3307 413-244-0766
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City of Springfield, Massachusetts

DATA SOURCE:

461 Boston Road

Attachment: 3188_Boston_Rd_461_2017_CC (3964 : SS Boston Road)

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3188
SECTION: 20

DATE: June 22, 2017

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: Nicholas L. Graham

ADDRESS: SS Boston Road (01655-0693), WS Lamont Street (07470-0003) and ES Morton Street (08860-0134)

CHANGE REQUESTED: Proposed zone change from Business A to Residence C

PETITIONER'S PURPOSE STATEMENT: Townhouse development

DATE OF PUBLIC HEARING: May 3, 2017

DATE OF FINAL DECISION: June 21, 2017

BOARD MEMBERS PRESENT and COUNT: seven (7): Ms. Morin, Mr. Daniele, Ms. DeFillipo Mr. Swan, Mr. Cignoli, Ms. Choi and Mr. Cuningham

FINAL MOTION: Approve

IN FAVOR: seven (7): Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Cignoli, Ms. Chio and Mr. Cuningham

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben Swan Jr., Chairperson

Attachment: 3188_Boston_Rd_461_2017_CC (3964 : SS Boston Road)



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4068

TABLED

PETITION (ID # 4068)

For a Special Permit Involving Exterior Renovation and New Construction Totaling More Than One Thousand (1,000) Square Feet at the Property Known as 600 Belmont Avenue (01235-0110) in Accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31(A) (Neighborhood Commercial Design Overlay District) and M.G.L.

Request:	See Above
Owner:	Cui Qing Zhang
By:	Cui Qing Zhang
Petitioner:	Cui Qing Zhang
By:	Cui Qing Zhang

COMMENTS - Current Meeting:

Motion to continue by Councilor Shea and Seconded by Councilor Walsh.

RESULT: CONTINUE

Next: 9/26/2017 7:00 PM

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a special permit involving exterior renovation and new construction totaling more than one thousand (1,000) square feet at the property known as 600 Belmont Avenue (01235-0110) in accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31(A) (Neighborhood Commercial Design Overlay District) and M.G.L.

Mailing Address:

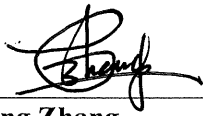
166 White Street
Springfield, MA 01108

Owner & Petitioner:

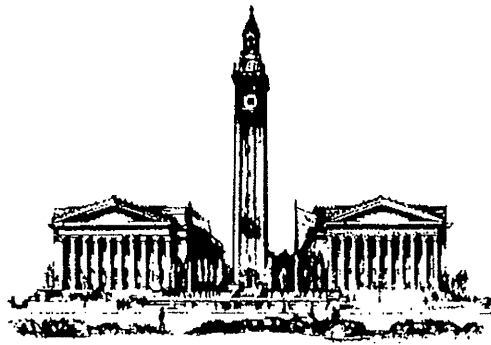
Cui Qing Zhang

I hereby certify that I am the owner and petitioner
or acting on behalf of the owner and petitioner.

BY: _____


Cui Qing Zhang

Attachment: Belmont_Ave_600_Tax_Formal (4068 : 600 Belmont Avenue)



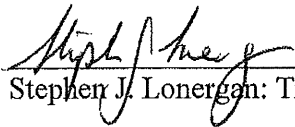
THE CITY OF
SPRINGFIELD, MASSACHUSETTS

5/31/2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit : 600 Belmont Avenue
Petitioner : Cui Qing Zhang
Landlord : Cui Qing Zhang


Stephen J. Lonergan: Treasurer/Collector



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4119

COMPLETED

PETITION (ID # 4119)

**To Amend an Existing Special Permit (Motor Vehicle Sales),
Granted June 2007, by Allowing a Change in the Petitioner at
the Properties Known as 490-510 Main Street (08130-0045),
WS Main Street (08130-0047 & 0048), SS Norwood Street
(09150-0051) and NS Broad Street (01920-0004), as Allowed
by M.G.L. and the Springfield Zoning Ordinance, Article 4,
Table 4-4, Section 12.1.**

Request:	See Above
Owner:	Bar South Land Holdings, LLC
By:	James Demas
Petitioner:	Bar South Land Holdings, LLC
By:	James Demas

COMMENTS - Current Meeting:

The hearing was opened.

Attorney Michael Sweet, representing the petitioner, spoke in favor of the petition.

Leo Florian, president of the South End Citizens Council, spoke in favor of the petition.

In response to a question from Councilor Walsh, the petitioner stated that Bear Auto went out of business.

No one spoke in opposition.

The public was closed.

Councilor Edwards spoke in favor of the petition.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.

- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT: **APPROVED [11 TO 0]**

AYES: Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos

ABSENT: E. Henry Twiggs, Bud L. Williams

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend an existing special permit (motor vehicle sales), granted June 2007, by allowing a change in the petitioner at the properties known as 490-510 Main Street (08130-0045), WS Main Street (08130-0047 & 0048), SS Norwood Street (09150-0051) and NS Broad Street (01920-0004), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 12.1.

Mailing Address:

122 Doty Circle
West Springfield, MA 01089

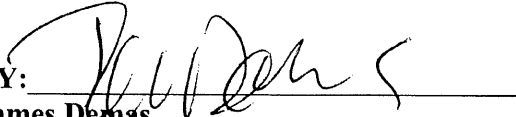
Owner & Petitioner:

Bar South Land Holdings, LLC

I hereby certify that I am the owner and petitioner or I that I am acting on behalf of the owner and petitioner.

BY: _____

James Demas



Attachment: Main_St_490_Tax_Formal (4119 : 490-510 Main Street)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

6/22/2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit : 490-510 Main Street
Petitioner : BAR South Land Holdings, LLC
Landlord : BAR South Land Holdings, LLC

A handwritten signature in black ink, appearing to read "Stephen J. Lohergan", is written over a horizontal line.

Stephen J. Lohergan: Treasurer/Collector



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4121

COMPLETED

PETITION (ID # 4121)

**For a Special Permit for an Indoor Place of Amusement
(Escape Room) at the Property Known as 141 State Street
(11110-0637), as Allowed by M.G.L. and the Springfield
Zoning Ordinance, Article 4, Table 4-4, Section 17.2(1).**

Request:	See Above
Owner:	Paul Kalill & Gerald Glasser
By:	Paul Kalill & Gerald Glasser
Petitioner:	James Krobath
By:	James Krobath

COMMENTS - Current Meeting:

The hearing was opened.

James Krobath, from North Carolina, the petitioner, stated that the escape is a combination of team building exercises that can be enjoyed by families and corporations.

No one spoke in opposition to the petition.

In response to a question from Councilor Gomez, the petitioner stated that he had not met with the neighborhood board.

Mr. Krobath stated that he met with Charlie Knight about the petition.

Councilor Marcus Williams stated that he was concerned about the businesses plans to get a liquor license.

Councilor Walsh made a motion to continue the matter to the next hearings meeting.
Seconded by Councilor Gomez.

Councilor Edwards stated that he does not think that the item should continued.

Councilor Gomez withdraws his second to the motion to committee.

Councilor Shea stated that escape rooms started as team building exercises for corporations. He stated that they are family-friendly activities.

The motion to committee failed.

The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT:	APPROVED [10 TO 1]
AYES:	Edwards, Allen, Rooke, Gomez, Williams, Ashe, Shea, Fenton, Hurst, Ramos
NAYS:	Kateri B. Walsh
ABSENT:	E. Henry Twiggs, Bud L. Williams

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a special permit for an indoor place of amusement (Escape Room) at the property known as 141 State Street (11110-0637), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 17.2(1).

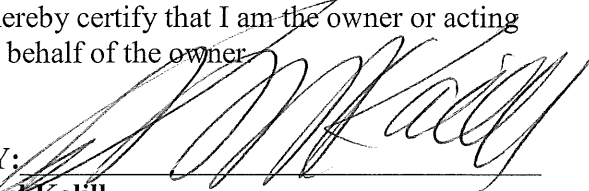
Mailing Address:

135 State Street
 Springfield, MA 01103

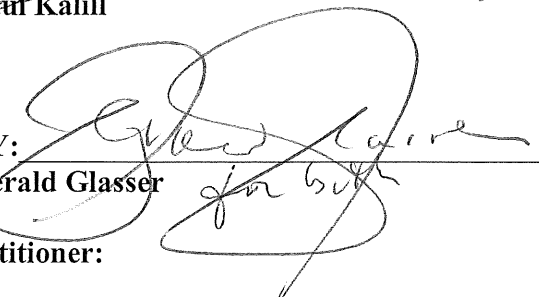
Owner:

Paul Kalill & Gerald Glasser

I hereby certify that I am the owner or acting on behalf of the owner.

BY: 

Paul Kalill

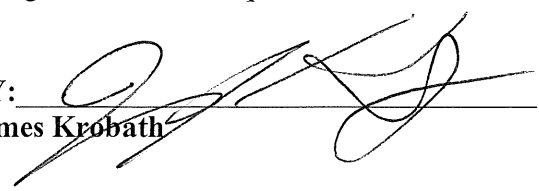
BY: 

Gerald Glasser

Petitioner:

James Krobath

I hereby certify that I am the petitioner or acting on behalf of the petitioner.

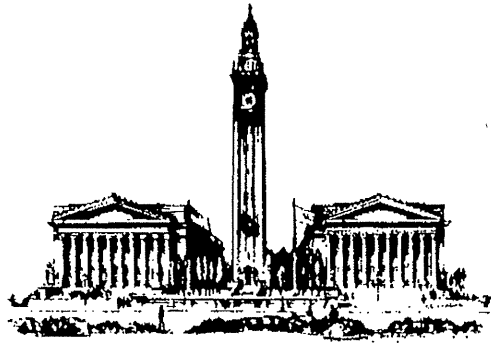
BY: 

James Krobath

Mailing Address:

141 State Street
 Springfield, MA 01103

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

June 27, 2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 141 State Street – (11110-0637)

Petitioner: James Krobath

Property Owner: Paul M. Kalill & Gerald Glasser

Stephen J. Lonergan: Treasurer/Collector

Attachment: State_St_141_Tax_Format (4121 : 141 State Street)

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

141 STATE STREET (11110-0637)
INDOOR PLACE OF AMUSEMENT (ESCAPE ROOM)

General Information

Petitioner:	James Krobath
Request:	Indoor place of amusement
Proposed use of the property:	Escape Room
Parcel Size:	9,714 s.f.
Compatibility with current planning documents:	The Downtown Master Plan shows no changes to this area.
Neighborhood council Notification:	Armoury Quadrangle Civic Association: 6-28-17
Tax Status:	SEE ATTACHED
Site Visit:	7-21-17
Hearing Date:	8-21-17

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business C and is located within the Central Business District. The surrounding land uses include:

- To the north is the MassMutal Center zoned Business C.
- To the south are commercial parking lots zoned Business C.
- To the east is a proposed hotel development zoned Business C.
- To the west is the Community Music School zoned Business C.

Site plan review:

The petitioner has requested a special permit to operate an indoor place of amusement at the property known as 141 State Street. This site is currently vacant and was the former location of Montenia's Restaurant. The petitioner has submitted plans indicating that this location will be renovated into an "Escape Room". In reviewing the proposal, the staff found the definition of an "Escape Room" as follows:

"An escape room is a physical adventure game in which players solve a series of puzzles using clues, hints and strategy to complete the objectives at hand. Players are given a set time limit to unveil the secret plot which is hidden within the rooms. Escape rooms are inspired by "escape-the-room"-style video games. Games are set in a variety of fictional locations, such as prison cells, dungeons and space stations, and are popular as team building exercises."

The petitioner also states the location will offer "...interactive team building exercises".

The plans submitted indicate that there will be a total of four (4) "escape rooms". The plan also shows that there will be a reception area, orientation room and offices.

While the staff does not object to the proposed use, one of the concerns the staff had was hours of operation.

In researching the proposed use, the staff looked at other "Escape Rooms" currently operating within the eastern part of the State. One operation was open from 8:00AM to 4:00PM and another was open from 6:30PM to 8:30PM on the weekdays and 10:30AM to 8:30PM on the weekends. The staff also looked at two (2) "Escape Rooms" currently operating in Worcester that appear to be open until 11:00PM. Lastly it was noted that there is also an "Escape Room" operating in Easthampton that is open until 10:30PM.



After further communications with the petitioner, it was indicated to the staff that the hours of operation for this location would be from 11:00AM to 10:00PM, Monday through Thursday and 10:00AM to 12:00AM Friday through Sunday. If approved, the staff believes these hours of operation should be a condition of the special permit.

Lastly, due to the fact that the petitioner has also indicated they will be serving food and will also be applying for a liquor license, the staff does believe the hours of operation should be clearly stated. It should also be noted to the petitioner that a liquor license will need to be approved by the License Commission before any alcohol can be served at this location.

Overall, the staff very excited about the concept of this use coming to the Downtown. While this is a relatively new concept, they are becoming very popular. The "Escape Rooms" currently operating cater to large parties as well as corporate events and appear to be very successful.

Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted for an indoor place of amusement (Escape Room) at the property known as 141 State Street (11110-0637).
3. The use shall be developed in accordance with the attached site plan, with the additions of conditions #4 through #8.
4. A Liquor License shall be obtained from the License Commission.

5. A full sign plan shall be submitted to the Office of Planning & Economic Development, for review and approval, prior to the issuance of the sign permit.
6. The hours of operation shall be 11:00AM to 10:00PM, Monday through Thursday and 10:00AM to 12:00AM, Friday through Sunday.
7. The public sidewalks shall be maintained, including snow removal.
8. The building shall be maintained free of all graffiti.
9. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

June 27, 2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

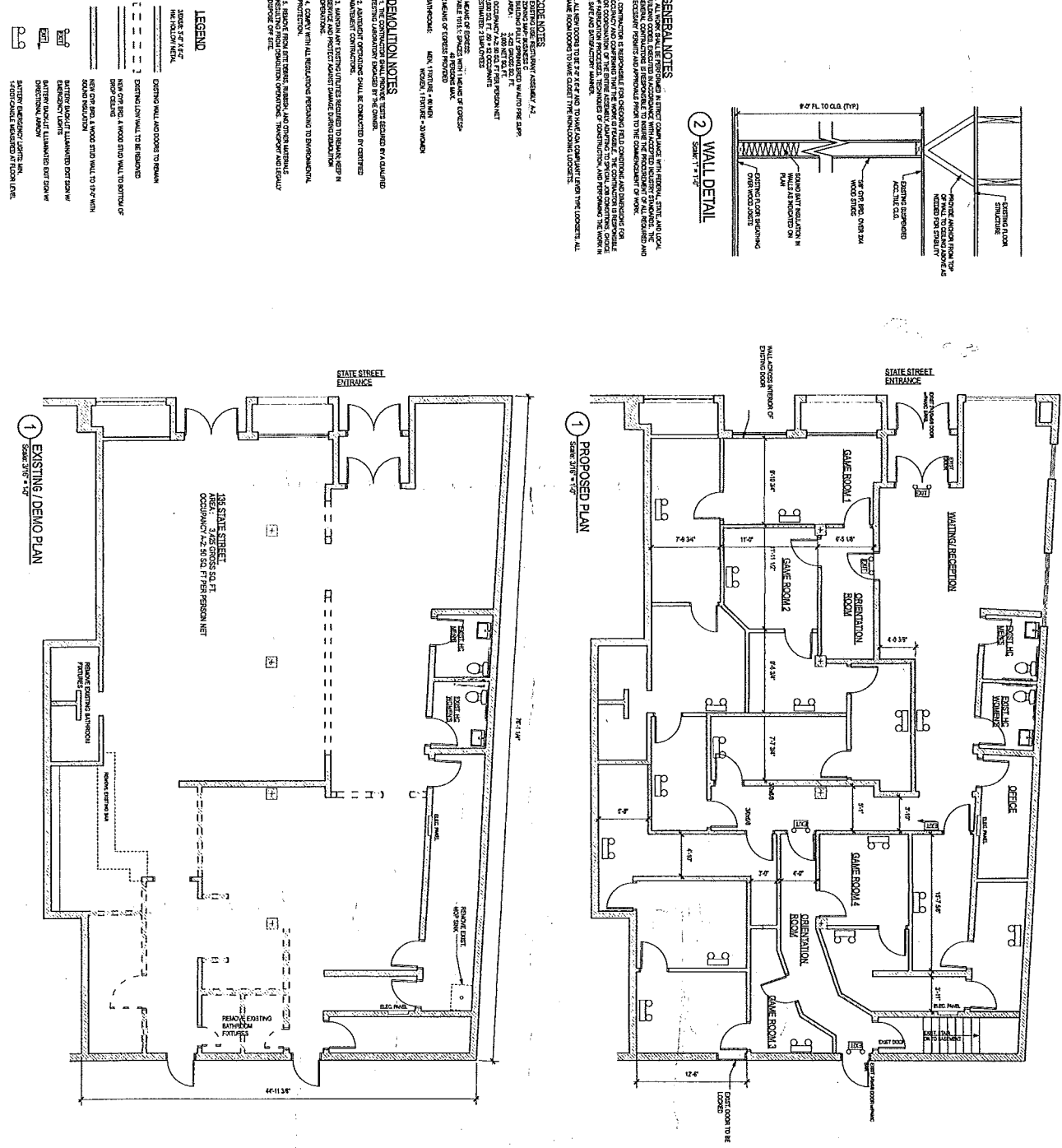
Special Permit: 141 State Street – (11110-0637)

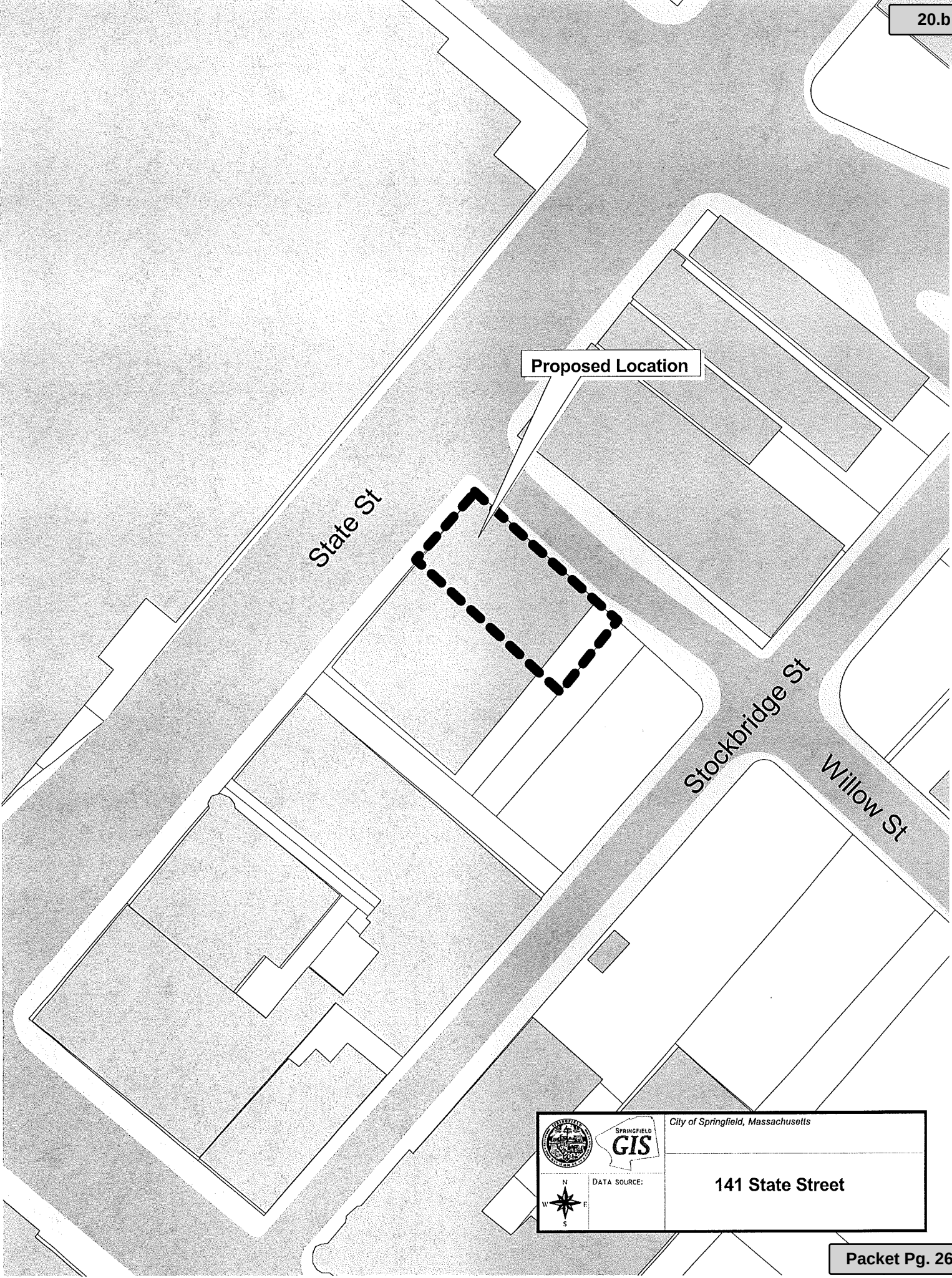
Petitioner: James Krobath

Property Owner: Paul M. Kalill & Gerald Glasser

Stephen J. Lonergan: Treasurer/Collector

Attachment: State St 141 2017 (4121 : 141 State Street)





Attachment: State St 141 2017 (4121 : 141 State Street)

 	City of Springfield, Massachusetts	
	 N S E W	DATA SOURCE: 141 State Street



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4149

COMPLETED

PETITION (ID # 4149)

For a Special Permit to Operate a Drive-Up Service Window at the Property Known as SS Allen Street (A.K.A. 1444) (00280-0429), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	Joseph Bonavita
By:	Joseph Bonavita
Petitioner:	Florance Bank
By:	Mark Cavanugh

COMMENTS - Current Meeting:

Luke Destefano, representing the Petitioner, spoke in favor of the petition. He stated that the petitioner would build a Florence Bank on the property.

Mary Dion, 370 forest hills road, Vice-President of the Outer Belt Civic Association, spoke in favor of the petition.

Walter Gould, 1336 Allen Street, President of the Outer Belt Civic Association, spoke in favor of the petition. He stated that the association voted in favor of the project.

No one spoke in opposition.

Councilor Walsh spoke in favor of the petition.

Councilor Allen spoke in favor of the petition.

The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper

operation of the proposed use.

- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a special permit to operate a drive-up service window at the property known as SS Allen Street (a.k.a. 1444) (00280-0429), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

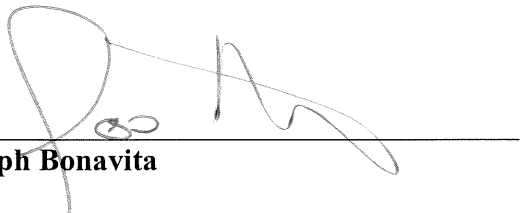
Mailing Address:

1506 Allen Street
 Springfield, MA 01118

Owner:

Joseph Bonavita

I hereby certify that I am the owner or acting on behalf of the owner.

BY: 
Joseph Bonavita

Mailing Address:

85 Main Street
 Florence, MA 01062

Petitioner:

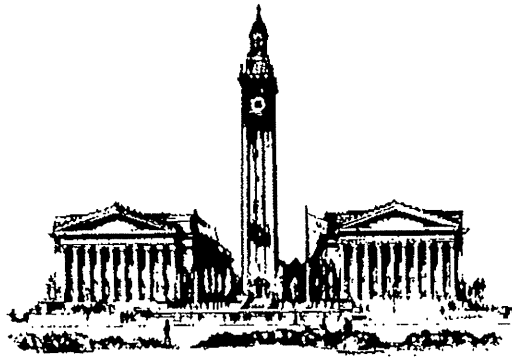
Florence Bank

I hereby certify that I am the petitioner or acting on behalf of the petitioner.

By: 
Mark Cavanaugh

Attachment: Allen_St_SS_Tax_Formal (4149 : SS Allen Street (A.K.A. 1444))

Amy Cutler
Assistant Treasurer



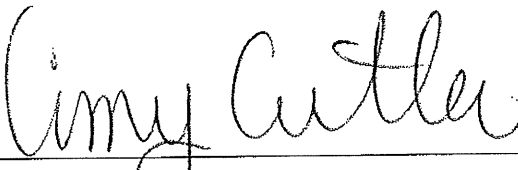
THE CITY OF
SPRINGFIELD, MASSACHUSETTS

July 6, 2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 1444 Allen Street – (00280-0429)
Petitioner: Florence Savings Bank – Mark Cavanaugh
Property Owner: Joseph Bonavita



Amy Cutler: Assistant Treasurer

Attachment: Allen_St_SS_Tax_Formal (4149 : SS Allen Street (A.K.A. 1444))

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**SS (A.K.A. 1441) ALLEN STREET (00280-0429)
DRIVE-UP SERVICE WINDOW**

General Information

Petitioner:	Florence Bank
Request:	Drive-up service window
Proposed use of the property:	Florence Bank
Parcel Size:	53,297 s.f.
Compatibility with current planning documents:	The Sixteen Acres Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Outerbelt Civic Association: 6-28-17
Tax Status:	SEE ATTACHED
Site Visit:	7-21-17
Hearing Date:	8-21-17

Staff Analysis

Neighborhood characteristics:

The parcel is currently split zoned Business A with a small strip of Residence A along the rear property line. The site and is located along the Allen Street commercial corridor. The surrounding land uses include:

- To the north is vacant land zoned Residence A.
- To the south is vacant land zoned Residence A.
- To the east is a cemetery and commercial shopping plaza zoned Residence B and Business A.
- To the west is a Wendy's restaurant zoned Business A.

Site plan review:

The petitioner has requested a special permit to operate a drive-up service window at the property known as SS (a.k.a. 1441) Allen Street. This is currently a vacant parcel. The petitioner has submitted plans that indicate that a new 3,100 square foot Florence Bank will be constructed with an accessory drive-up window. The proposed drive-up window will be located in a separate, stand-alone ATM.

After visiting the site and reviewing the proposed plans, the staff does not object to the proposed special permit. As noted above, the petitioner is proposing to construct a new Florence Bank building. In addition, there will also be a stand-alone ATM located on the eastern side of the parcel. The plans submitted indicate that there will be two (2) curb cuts onto the site from Allen Street. One will be an entrance only and the second curb cut will be an exit only. Due to the configuration of Allen Street only right hand turns will be allowed out of the site. In addition to the two (2) curb cuts, a rear access road will be created which will

connect this site to the adjacent commercial shopping plaza. It is important to note that this commercial shopping plaza is in common ownership with this parcel. As such, the connection to that site has been approved and agreed to by the owner. This connection will allow patrons of the bank to access the traffic light at the intersection of Allen Street and Bicentennial Highway.

As with all new design, the staff does want to ensure that not only vehicles are accommodated but also pedestrian traffic as well. As such, the staff requested that a pedestrian connection be provided from Allen Street. As per the attached plans, the petitioner had included that connection in the design. Further, the petitioner has also provided a detailed landscaping plan. Building elevations and a full sign plan have also been submitted.



Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted for a drive-up service window at the property known as SS (a.k.a. 1441) Allen Street (00280-0429).
3. The use shall be developed in accordance with the attached site plans and elevations, with the additions of conditions #4 through #14.
4. All landscaping shall be installed as per the attached plans.
5. All landscaped areas shall be irrigated.
6. The building shall be maintained free of all graffiti.
7. The property, including all landscaped areas, shall be maintained and kept free of all litter, trash, debris and overgrown vegetation.
8. Any and all dumpsters shall be completely enclosed.
9. Any and all permits required from the Springfield Conservation Commission shall be obtained prior to the issuance of a Building Permit.
10. In addition to the special permit approval, a full review by the Department of Public Works, as per the provisions of City Ordinance, Article VIII, §27-29, will be required. This approval must be obtained prior to the issuance of a Building Permit.
11. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
12. The public sidewalk along Allen Street shall be maintained, including snow removal.
13. There shall be no banners, streamers, pennants located on the property, with the exception of a "grand opening" event.

14. All signage shall be fully permitted through the Building Department prior to installation.
15. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

Amy Cutler
Assistant Treasurer



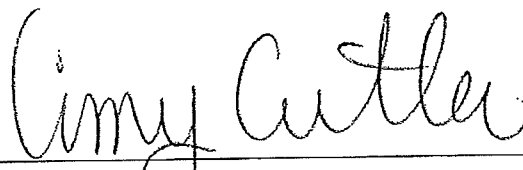
THE CITY OF
SPRINGFIELD, MASSACHUSETTS

July 6, 2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 1444 Allen Street – (00280-0429)
Petitioner: Florence Savings Bank – Mark Cavanaugh
Property Owner: Joseph Bonavita

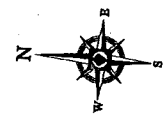


Amy Cutler: Assistant Treasurer

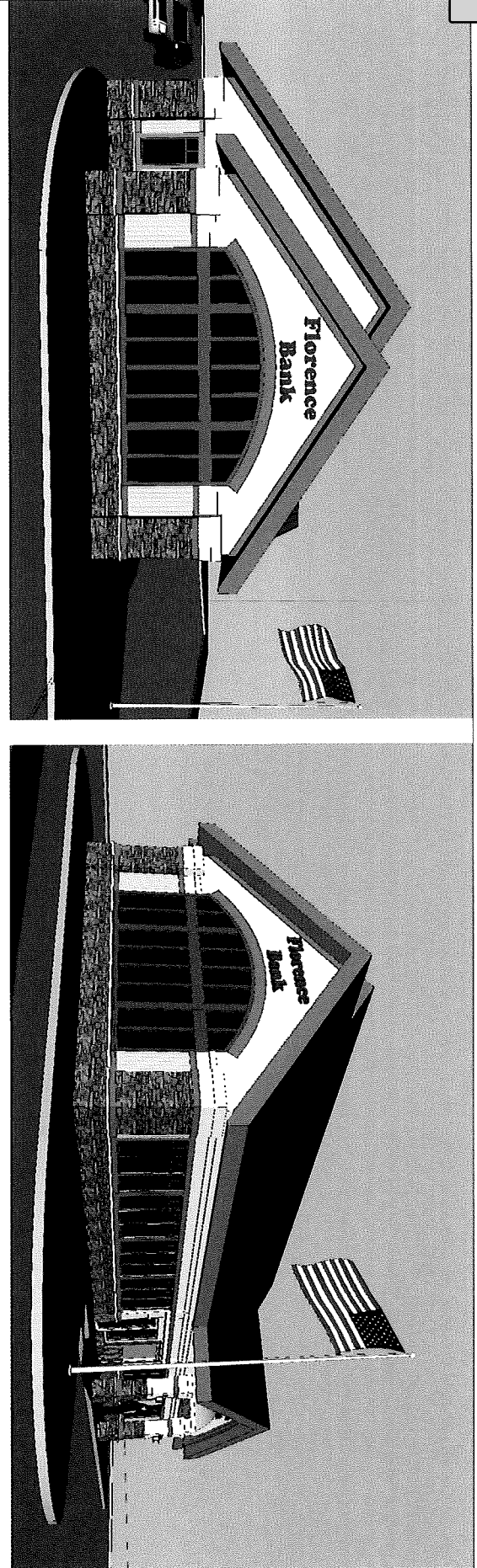
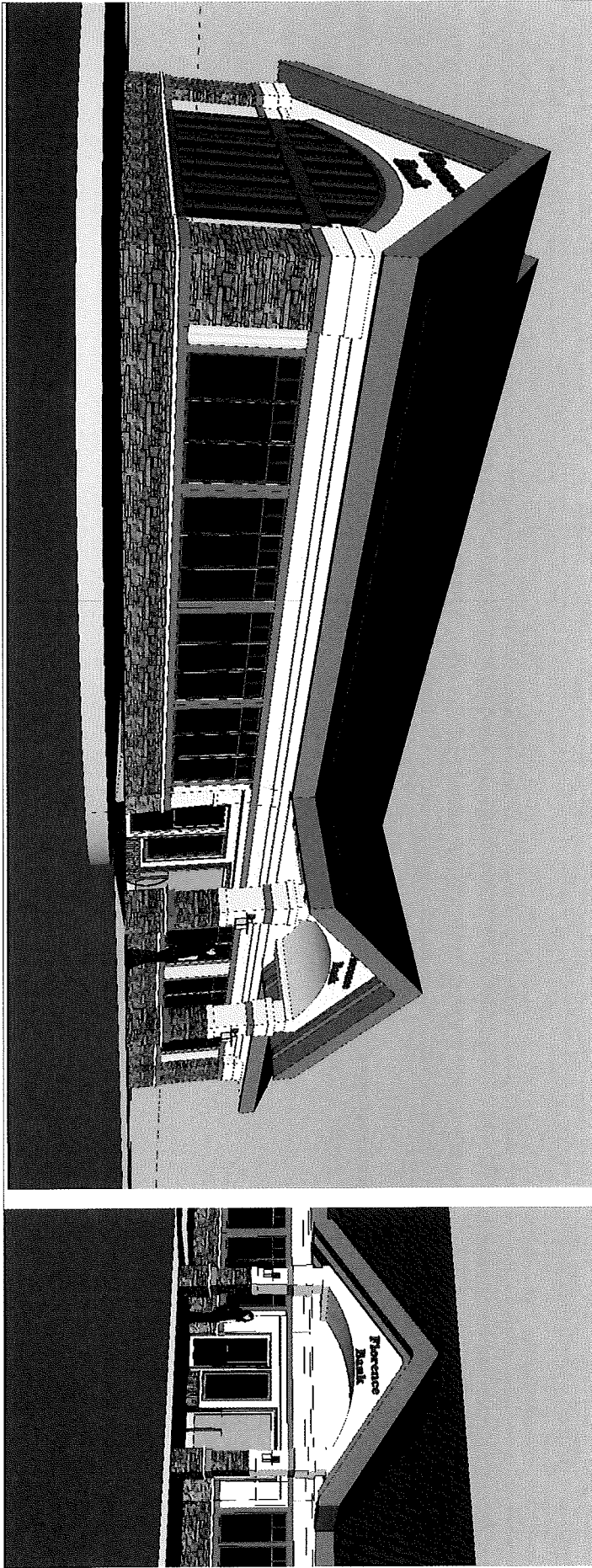
Attachment: Allen_St_SS_(aka_1441)_2017_(4149 : SS Allen Street (A.K.A. 1444))



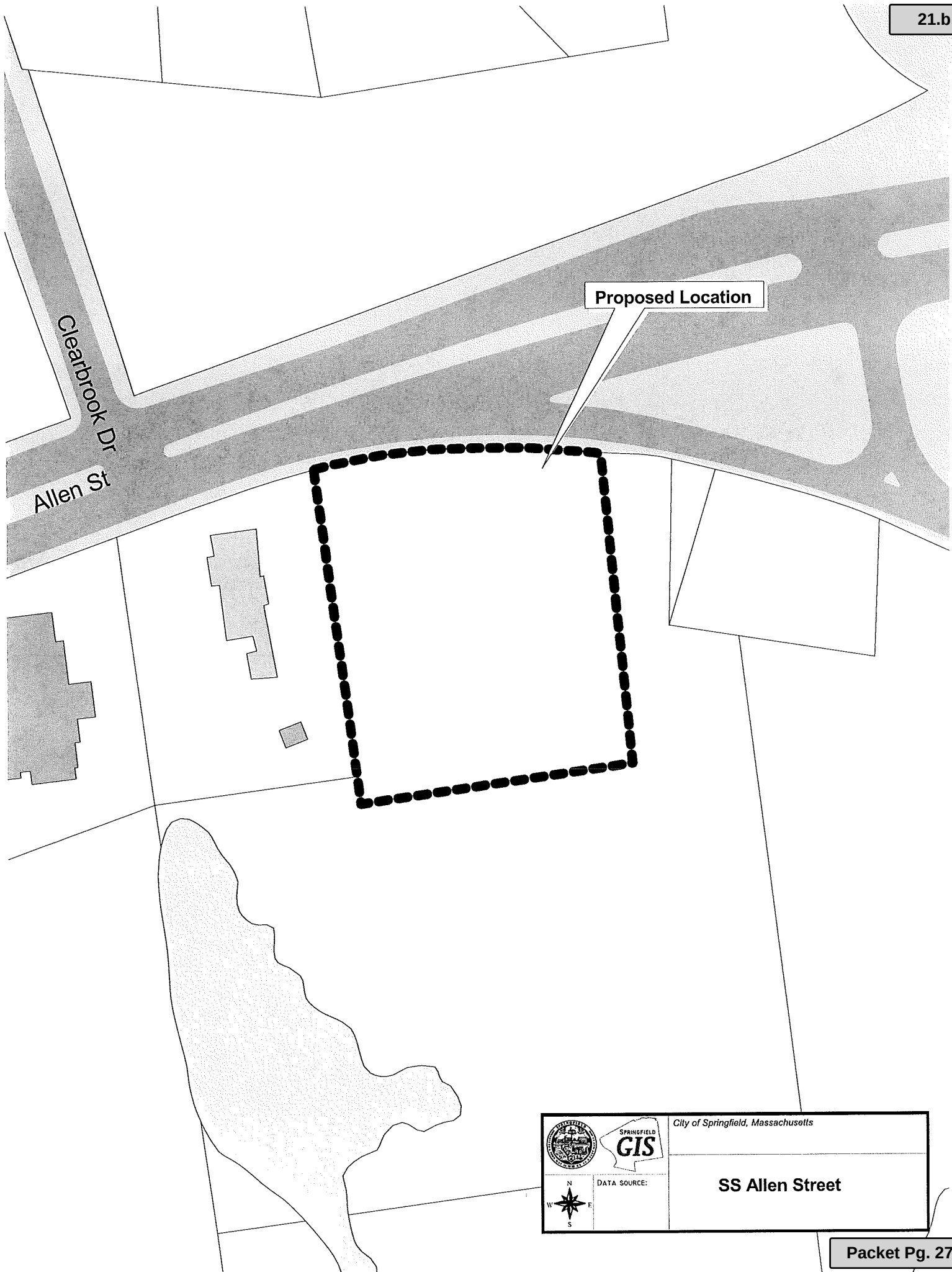


[illegible]**Packet Pg. 273**

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Attachment: Allen_St_SS_(aka_1441)_2017_(4149 : SS Allen Street (A.K.A. 1444))



Attachment: Allen St SS (aka 1441) 2017 (4149 : SS Allen Street (A.K.A. 1444))

  	City of Springfield, Massachusetts
	SS Allen Street



City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4150

COMPLETED

PETITION (ID # 4150)

To Amend an Existing Special Permit (Drive-Up Service Window), Granted August 2000, by Allowing a Change to the Petitioner, at the Property Known as 757 Boston Road (01655-0620), as Provided by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	Amish Parikh
By:	Amish Parikh
Petitioner:	Amish Parikh
By:	Amish Parikh

COMMENTS - Current Meeting:

Amish Parikh, the petitioner, spoke in favor of the petition.

No opposition. The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend an existing special permit (drive-up service window), granted August 2000, by allowing a change to the petitioner, at the property known as 757 Boston Road (01655-0620), as provided by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Mailing Address:

100 Menlo Park Mall, Suite 500
Edison, NJ 08837

Owner & Petitioner:

Amish Parikh

I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

By: 
Amish Parikh

Attachment: Boston_Rd_757_Tax_Formal (4150 : 757 Boston Road)

Amy Cutler
Assistant Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

July 3, 2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 757 Boston Road – (01655-0620)

Petitioner: Amish Parikh

Property Owner: Wendy's Properties LLC

Amy Cutler: Assistant Treasurer

Attachment: Boston_Rd_757_Tax_Formal (4150 : 757 Boston Road)

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**757 BOSTON ROAD (01655-0620)
AMEND EXISTING SPECIAL PERMIT (DRIVE-UP SERVICE WINDOW)**

General Information

Petitioner:	Amish Parikh
Request:	Amend an existing special permit, granted August 2000, by allowing a change in the petitioner.
Proposed use of the property:	Wendy's Restaurant
Parcel Size:	53,579 s.f.
Compatibility with current planning documents:	The Pine Point Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Pine Point Community Council: 7-20-17
Tax Status:	SEE ATTACHED
Site Visit:	7-21-17
Hearing Date:	8-21-17

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business A and is located along the Boston Road commercial corridor. The surrounding land uses include:

- To the north are a number of retail operations zoned Business A.
- To the south is a church zoned Business A.
- To the east is an auto supply company zoned Business A.
- To the west is a car wash operation zoned Business A.

Site plan review:

The petitioner has requested to amend an existing special permit (drive-up service window), granted August 2000, to allow a change in the petitioner at the property known as 757 Boston Road. This is the current location of a Wendy's Fast Food Restaurant.

After visiting the site, the staff does not object to the proposed amendment. Due to a recent sale of the property, the existing special permit must be amended. No changes to the site or the existing operations are being proposed. The staff was also very pleased to note that the property, including the overall landscaping, is being maintained.

If approved, the staff would recommend that the conditions placed on the original special permit remain in place.



Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted for a drive-up service window at the property known as 757 Boston Road (01655-0620).
3. Any and all conditions placed on the August 9, 2000 special permit shall remain in effect.
4. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

Amy Cutler
Assistant Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

July 3, 2017

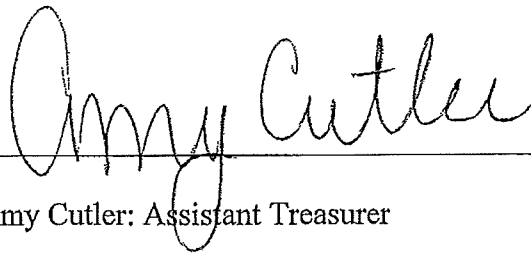
Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 757 Boston Road – (01655-0620)

Petitioner: Amish Parikh

Property Owner: Wendy's Properties LLC



Amy Cutler: Assistant Treasurer

Attachment: Boston_Rd_757_2017 (4150 : 757 Boston Road)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS

22.b

DATE: August 9, 2000
TO: FROM: William J. Metzger
DEPARTMENT: DEPARTMENT: City Clerk
COPIES TO: SUBJECT: Special Permit:
757 Boston Road

This is to inform you that at a meeting of the City Council held on Monday evening, July 17, 2000, it was voted by the Council in accordance with law to grant a Special Permit on the petition of Owner: Triple Seven Realty Trust By: Melinda M. Phelps, Esquire and Petitioner: Sondocatt Investments, LLC By: Melinda M. Phelps, Esquire to operate a drive-up service window at **757 Boston Road**, as provided in Massachusetts General Law and the Springfield Zoning Ordinance, Article XV, Section 1519 with the following restrictions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the operation of a drive-up service window for a Wendy's Restaurant at 757 Boston Road.
3. The use shall be developed in accordance to the attached site plan and elevations, dated May 18, 2000 with the additions of conditions #4 through #8, including Attachment A (Wilkes Street entrance and exit)
4. There shall be no banners, streamers, pennants, or additional signs located on the property.
5. There shall be no non-accessory signs on the premises.
6. There shall be no message board attached to the pole sign or located elsewhere on the site.
7. The petitioner shall place one bike rack on the property.
8. The dining room shall close at 10:00 p.m. The drive-up services window shall close at 11:00 p.m. Sunday through Thursday and at 12:00 a.m. Friday and Saturday.
9. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.
10. A three foot solid stockade fence shall be erected at the south side of the Wilkes Street exit.

REASONS: (1) The specific site is an appropriate location for such a use, structure, or condition. (2) The use as developed will not adversely affect the neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.

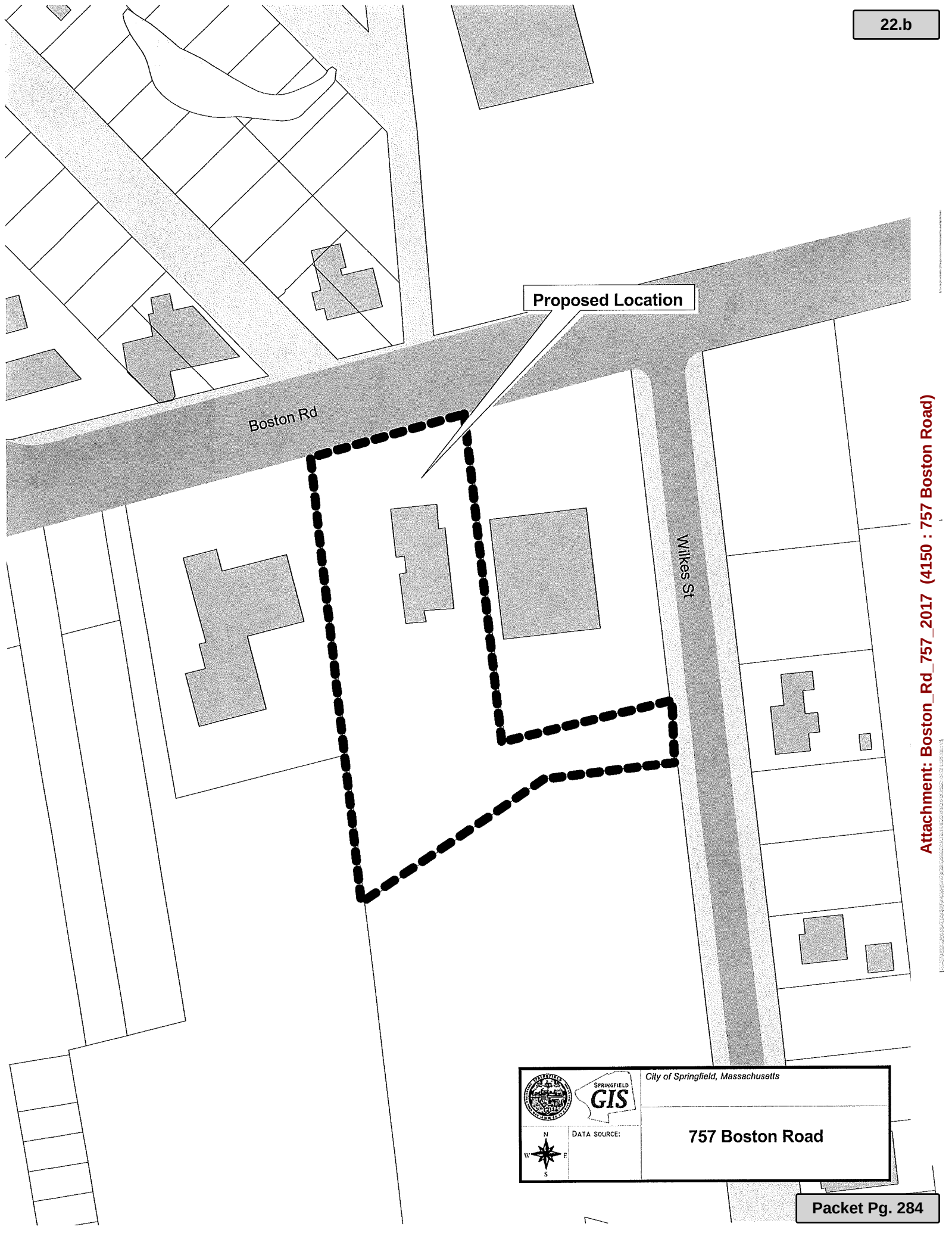
This permit becomes effective on August 9, 2000.

Very truly yours,


William J. Metzger
City Clerk

WJM/laf

Attachment: Boston_Rd_757_2017 (4150 : 757 Boston Road)



Proposed Location

Boston Rd

Wilkes St

Attachment: Boston_Rd_757_2017 (4150 : 757 Boston Road)

 SPRINGFIELD GIS	City of Springfield, Massachusetts	
	DATA SOURCE:	757 Boston Road





City Council
36 Court Street
Springfield, MA 01103

Meeting: 08/21/17 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 4153

COMPLETED

PETITION (ID # 4153)

To Amend an Existing Special Permit (Drive-Up Service Window), Granted July 2000, by Allowing a Change to the Petitioner, at the Property Known as 1290 St James Avenue (11170-0180), as Provided by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	Amish Parikh
By:	Amish Parikh
Petitioner:	Amish Parikh
By:	Amish Parikh

COMMENTS - Current Meeting:

Amish Parikh, the petitioner, spoke in favor of the petition.

No opposition.

Councilor Fenton moved to add the following condition to the permit: "All signs on the premises shall reflect the 12am closing time." Seconded by Councilor Gomez. Unanimously approved.

The hearing was closed.

Council unanimously approved of the following reasons for passing the permit:

- (1) The specific site an appropriate location for such a use, structure, or condition.
- (2) The use as developed will not adversely affect the neighborhood.
- (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.
- (4.) To incorporate the Planning Staff analysis into the decision at the basis of the findings.

RESULT:	APPROVED [11 TO 0]
AYES:	Edwards, Allen, Rooke, Gomez, Walsh, Williams, Ashe, Shea, Fenton, Hurst, Ramos
ABSENT:	E. Henry Twiggs, Bud L. Williams

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend an existing special permit (drive-up service window), granted July 2000, by allowing a change to the petitioner, at the property known as 1290 St James Avenue (11170-0180), as provided by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

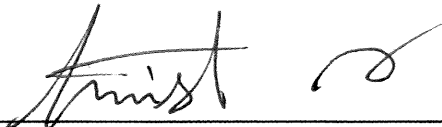
Mailing Address:

100 Menlo Park Mall, Suite 500
Edison, NJ 08837

Owner & Petitioner:

Amish Parikh

I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

By: 
Amish Parikh

Attachment: St_James_Ave_1290_Tax_Formal (4153 : 1290 St James Avenue)



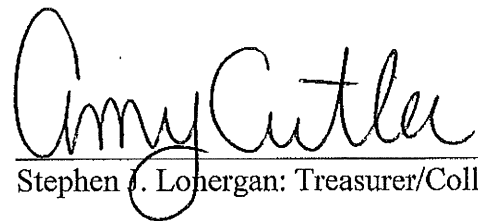
THE CITY OF
SPRINGFIELD, MASSACHUSETTS

7/19/2017

**Special Permit
Tax Certification**

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit : 1290 St. James Avenue
Petitioner : Amish Parikh
Landlord : Amish Parikh


Stephen J. Lohergan: Treasurer/Collector

Attachment: St_James_Ave_1290_Tax_Formal_(4153 : 1290 St James Avenue)

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**1290 ST JAMES AVENUE (11170-0180)
AMEND EXISTING SPECIAL PERMIT (DRIVE-UP SERVICE WINDOW)**

General Information

Petitioner:	Amish Parikh
Request:	Amend an existing special permit, granted July 2000, by allowing a change in the petitioner.
Proposed use of the property:	Wendy's Restaurant
Parcel Size:	221,677 s.f.
Compatibility with current planning documents:	The Liberty Heights Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Hungry Hill Neighborhood Council: 7-20-17
Tax Status:	SEE ATTACHED
Site Visit:	7-21-17
Hearing Date:	8-21-17

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business A and is located within a portion of the Springfield Plaza. The surrounding land uses include:

- To the north is a car wash zoned Business A.
- To the south is a large commercial parking lot zoned Business A and Industrial A.
- To the east are an apartment complex and single-family homes zoned Residence C and Residence A.
- To the west is a vacant bank building zoned Business A.

Site plan review:

The petitioner has requested to amend an existing special permit (drive-up service window), granted July 2000, to allow a change in the petitioner at the property known as 1290 St James Avenue. This is the current location of a Wendy's Fast Food Restaurant.

After visiting the site, the staff does not object to the proposed amendment. Due to a recent sale of the property, the existing special permit must be amended. No changes to the site or the existing operations are being proposed. The staff was also very pleased to note that the property, including the overall landscaping, is being maintained.

If approved, the staff would recommend that the conditions placed on the original special permit remain in place.



Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted for a drive-up service window at the property known as 1290 St James Avenue (11170-0180).
3. Any and all conditions placed on the July 19, 2000 special permit shall remain in effect.
4. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.



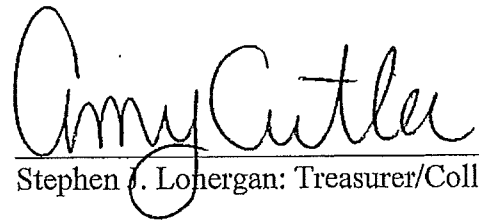
THE CITY OF
SPRINGFIELD, MASSACHUSETTS

7/19/2017

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit : 1290 St. James Avenue
Petitioner : Amish Parikh
Landlord : Amish Parikh


Stephen J. Lonergan: Treasurer/Collector

Attachment: St. James Ave 1290 2017 (4153 : 1290 St James Avenue)

TO:

DATE: July 19, 2000

FROM: William J. Metzger

DEPARTMENT:

DEPARTMENT: City Clerk

COPIES TO:

SUBJECT: Special Permit:
WS St. James Avenue

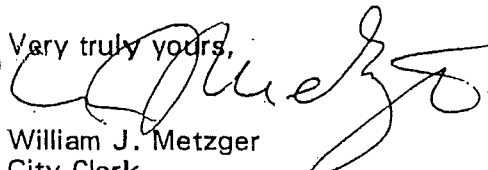
This is to inform you that at a meeting of the City Council held on Monday evening, June 26, 2000, it was voted by the Council in accordance with law to grant a Special Permit on the petition of Owner: Springfield Center II Associates, LP c/o Charter Realty & Development Corp. By: Melinda M. Phelps, Esquire and Petitioner: Sondocatt Investments, LLC By: Melinda M. Phelps, Esquire to operate a drive-up service window at **WS Saint James Avenue** as provided by Massachusetts General Law and the Springfield Zoning Ordinance Article XV, Section 1519, with the following conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for a drive-up service window for a Wendy's Restaurant on a portion of WS St. James Avenue as shown on the attached site plans.
3. The use shall be developed in accordance with the attached site plans and elevations dated March 20, 2000, with the additions of conditions #4 through #9.
4. There shall be no banners, streamers, pennants or additional signs located on the property.
5. There shall be no curb cuts allowed from the property onto St. James Avenue.
6. A six-foot opaque fence or a planting of arborvitae shrubs, five-feet in height, planted three-feet on center shall be installed along the northern property line which abuts the residential district.
7. There shall be no message board attached to the pole sign or located elsewhere on the site.
8. There shall be no non-accessory signs on the premises.
9. The petitioner shall install a six-foot wide, concrete sidewalk along the public way of Saint James Avenue and along the portion of the lot which fronts on the driveway to the plaza.
10. A pedestrian access point shall be constructed through the landscape beds along Saint James Avenue and a defined pedestrian walkway shall be painted within the parking lot.
11. The petitioner shall place one bike rack on the property.
12. The dining room shall close at 10:00 p.m.. The drive-up service window shall close at 11:00 p.m., Sunday through Thursday and Friday and Saturday at 12:00 a.m.
13. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.
14. The general location shall be maintained at least twice daily, at approximately 2:30 p.m. and 8:30 p.m.
15. There shall be no loitering on or about the premises and police shall be called in the event of loitering.
16. Graffiti shall be removed from the property as soon as possible.
17. Conditions of the special permit shall be kept at this location and the manager and each subsequent manager shall be responsible for compliance,

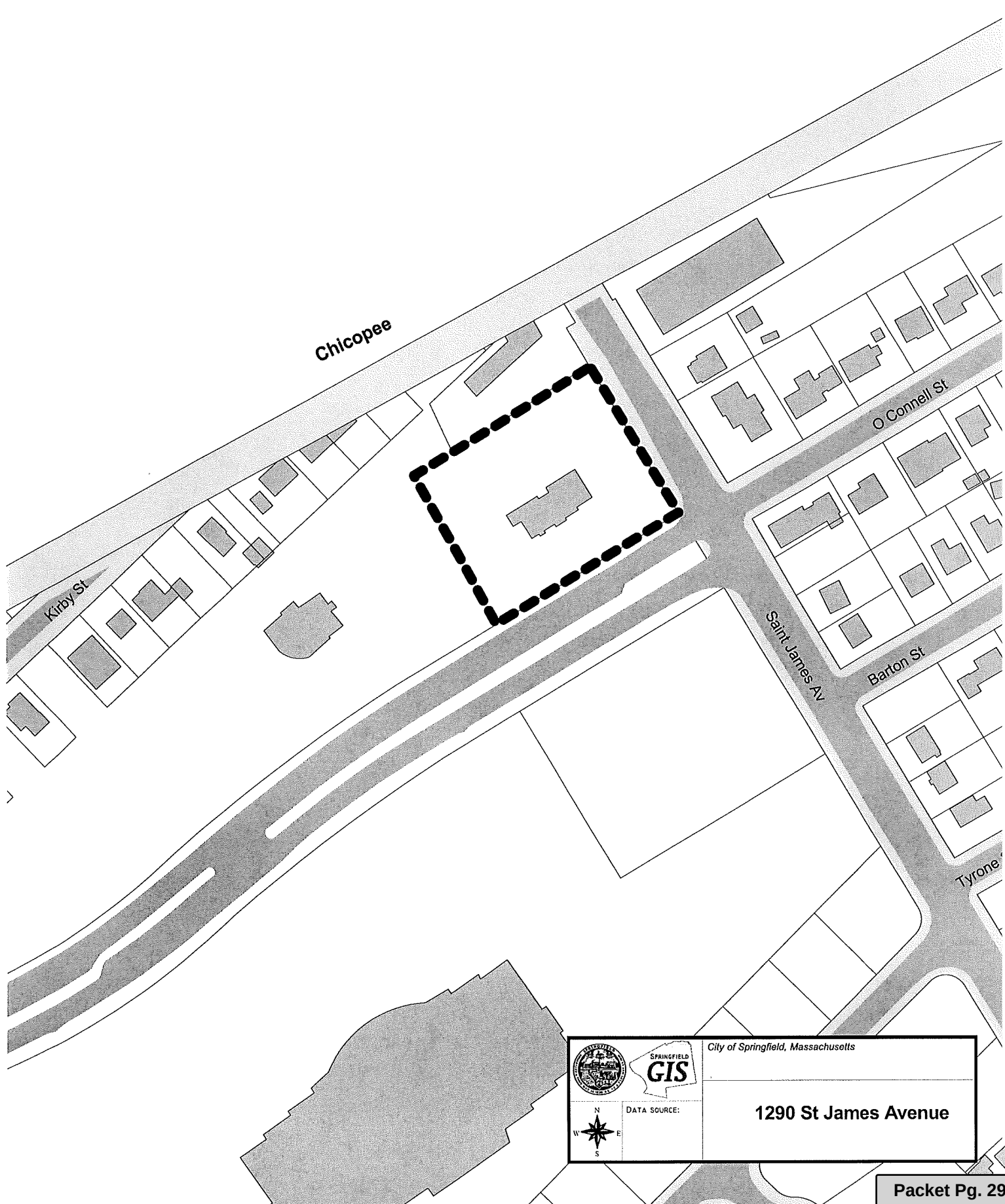
REASONS: (1) The specific site is an appropriate location for such a use, structure, or condition. (2) The use as developed will not adversely affect the neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.

This permit becomes effective on July 19, 2000.

Very truly yours,


William J. Metzger
City Clerk

Attachment: St. James Ave 1290 2017 (4153 : 1290 St James Avenue)



Attachment: St James Ave 1290 2017 (4153 : 1290 St James Avenue)

 SPRINGFIELD GIS	City of Springfield, Massachusetts	
	DATA SOURCE:	1290 St James Avenue