



CITY COUNCIL

City Clerk's Office 4/23/2025 12:00:00 PM

Hearings Meeting Agenda~

I hereby notify you that the following items of business have been filed with this office and can be acted upon at the meeting of the City Council **Monday April 28, 2025** at 07:00 PM.

City Clerk

Call to Order

7:00 PM Meeting called to order on April 28, 2025 at City Hall -- Room 200, 36 Court Street, Springfield, MA.

Orders

- (1.) Collective Bargaining Agreement Ratification - Collective Bargaining Agreement Ratification- International Brotherhood of Police ("IBPO") Local-364 (Mayor Sarno)

Petitions

- (2.) Honorary Sign -Leo A. Florian Way
- (3.) 11 Liberty Street Fuel Storage Petition

Zoning Changes

- (4.) To Amend the Springfield Zoning Ordinance by Amending Article 8, Section 8.4 (Floodplain Overlay District). Amendment to Article 8, Section 8.4 (Floodplain_Overlay_District) None Yet

PETITIONER:

Springfield Planning Board

ADDRESS:

City Wide

CHANGE REQUESTED:

**Amendment to Article 8, Section 8.4
(Floodplain Overlay District)**



City Council

SCHEDULED

Meeting: 04/28/25 07:00 PM
Initiator: Gianna Berardi
Sponsors: Mayor Domenic J. Sarno
DOC ID: 8595

1

Collective Bargaining Agreement Ratification - Collective Bargaining Agreement Ratification- International Brotherhood of Police ("IBPO") Local-364 (Mayor Sarno)

WHEREAS, the City's Labor Relations Director has received confirmation from the representative of the International Brotherhood of Police Officers Local 364 ("IBPO"), that this bargaining unit has ratified new collective bargaining agreements for the time period of July 1, 2024 to June 30, 2028 with the City of Springfield; and

WHEREAS, the Labor Relations Department is requesting that the City Council approve the terms of the Collective Bargaining Agreement, which are described in a letter from the Labor Relations Director and Memorandum from the Chief Administrative and Financial Officer, which are attached hereto; and

WHEREAS, the Agreement includes wage increases effective and retroactive July 1, 2024 of three and one half percent (3.5%); and

WHEREAS, the Agreement includes wage increases effective July 1, 2025 of three and one half percent (3.5%); and

WHEREAS, the Agreement includes wage increases effective July 1, 2026 of three and one half percent (3.5%); and

WHEREAS, the Agreement includes wage increases effective July 1, 2027 of three and one half percent (3.5%); and

WHEREAS, the Chief Administrative and Financial Officer has certified that, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council Order, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as amended by Section 1 of Chapter 468 of the Acts of 2008;

NOW THEREFORE, the City Council hereby approves the report of the Labor Relations Director regarding the ratification of the collective bargaining agreement between the City of Springfield and the International Brotherhood of Police ("IBPO") Local-364 and the terms thereof, as described in the attached documents, for the time period of July 1, 2024 through June 30, 2028.

TENTATIVE AGREEMENT**City of Springfield****And****IBPO Local 364****March 27, 2025**

1. Increase wages by 3.5% 7-1-24, 3.5% 7-1-25, 3.5% 7-1-26 and 3.5% 7-1-27. Retroactive pay is limited to employees who were employed for all or part of the collective bargaining year who continue to be employed by the City as of date of ratification by the City Council, or whose separation was due to retirement or death. Employees who were discharged by the City or resigned for any other reason will not receive retroactive pay. This includes compensation for any changes necessitated by POST.
2. Duration 1 year contract 7-1-24 to 6-30-25 and 3 year contract 7-1-25 to 6-30-28
3. All tentative agreements in draft form from 2-7-25.
4. Art. 10.01 The City will endeavor to develop an App based system for the distribution of outside details.
5. Employees who volunteer for, are selected, trained and actually perform the duties of a FTO will be paid \$85.00 per week for each week they are actually training a trainee. For each regular scheduled work day that they are absent from training (sick, vacation, IOD, etc. \$20.00 per day will be deducted from this weekly stipend. Compensation for FTO's will conclude at the end of the FTO training program which is expected to last 12 weeks, and sooner if a FTO ceases to participate as a Trainer for any reason during the 12 week FTO program. The FTO policy will be removed from the contract and the Department's new FTO policy TRN-2 will be in effect. Should the Department make any subsequent changes to General Order TRN-2 which necessitates a bargaining obligation under MGL Ch. 150E, the City agrees to negotiate same with the Union.
6. Eliminate Recruit pay effective and retroactive to 7-1-24 and move all recruit employees to Step 1.
7. Bereavement leave-add an additional 2 days off for loss of a spouse or child of the employee.

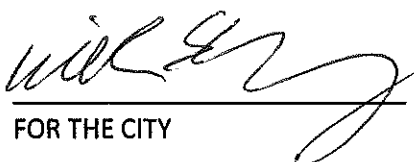
Tentative Agreement

City of Springfield and

IBPO Local 364

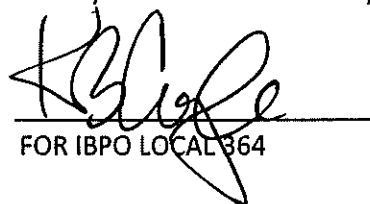
Page 2

By the signatures below the parties acknowledge this is a Tentative Agreement and completes collective bargaining for successor agreements for the periods of July 1, 2024-June 30, 2025 and July 1, 2025-June 30, 2028, subject to ratification votes by the Union and the City.



FOR THE CITY

3-27-25
DATE



FOR IBPO LOCAL 364

3.27.25
DATE

Tentative Agreement

Between

The City of Springfield

And

IBPO, Local 364

February 7, 2025

The parties agree that the below are tentative agreements and these tentative agreements are subject to a complete agreement.

Art. 3 delete "And Agency Service Fee" from title of article

Art. 3.03 delete

Art. 16.07 amend as follows "16.07 Lost or Stolen Equipment

- A) Should an issued piece of equipment be lost or stolen, an officer may request the department to issue a replacement item. Except for good reason the officer's request will be honored as soon as practical.
- B) In case of a gun, the officer may be required to meet with the Superintendent or his/her designee and explain the circumstances of the loss or theft.
- C) If the loss or theft is not the result of negligence by the officer, normally the Department will replace the item of equipment without charge to the officer: except for caps, gloves, badges, shirts, trousers, belts, holders, flashlights and manuals, which officers will replace themselves.
- D) If an item of equipment is lost or stolen as a result of an officer's negligence, the officer will be obligated to pay the fair market value of the item. Payments can be made at the option of the officer in whole, or by weekly payments of twenty-five (\$25.00) dollars per week.

Art. 25.12 delete

Art. 27.03 add . "The employer reserves the right to pay all members of the bargaining unit through direct deposit. If the employer exercises this right the employer will give the affected employees and the

Union two (2) weeks notice. Employees will be required to complete documentation and provide the employer with necessary account information to arrange for direct deposit. In the event that an employee does not have a bank account the employer reserves the right to pay the employee by crediting a debit card with the employees pay earned during the pay period."

Art. 27.05 add "The employer may elect to provide payroll advices to employees, on a voluntary basis, through email. The employer shall provide the Union with 30 days notice prior to making this change. All employees voluntarily opting for electronic payroll advices shall provide the Payroll Department with an email address to arrange for the transmission of this information."

Art.27.06 add "The FLSA 207(k) work period shall be a 28 day work period."

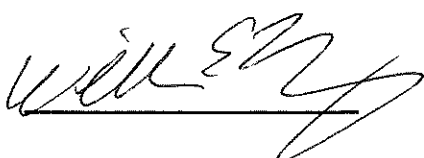
Art. 30.03 change "a" to "at" in second sentence, fifth instance

Art. 30.04 change "M.G.J.T.C." to "M.P.T.C."

Art. 32.03 delete "during"

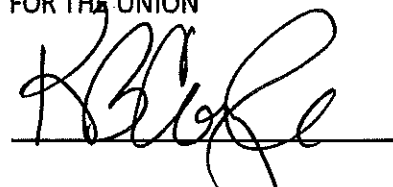
Art. 32.04 amend to read "The laboratory shall perform a split urine sample drug test. In the event of an initial positive drug test the remaining split sample can be tested at a certified laboratory. Drug testing to be performed is to be of the more expensive and accurate nature, so as not to subject the employee to the stress and embarrassment of a possible false positive result from the less expensive test."

FOR THE CITY


3-27-25

DATE

FOR THE UNION


3-27-25

DATE

Human Resources
&
Labor Relations
36 Court Street, Room 005
Springfield, MA 01103
413-787-6068 (phone)
413-787-6572 (fax)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS



April 14, 2025

To the Springfield City Council

Please be advised that this department has received confirmation from the representative of **International Brotherhood of Police Officers Local 364 ("IBPO")**, that this bargaining unit has ratified two (2) new collective bargaining agreements for the time periods of July 1, 2024 to June 30, 2025 and July 1, 2025 to June 30, 2028 with the City of Springfield.

We hereby submit to you this report for approval by the City Council which reflects the following wage increases in the **IBPO Patrol Officers wage scale**.

Wage Increases:

Contract One:

Effective and retroactive to July 1, 2024 three and one half percent (3.5%)

Contract Two:

Effective July 1, 2025 three and one half percent (3.5%)

Effective July 1, 2026 three and one half percent (3.5%)

Effective July 1, 2027 three and one half percent (3.5%)

Additionally:

1. Employees who volunteer for, and are selected, trained and actually perform the duties of a Field Training Officer will be paid \$85.00 per week for each week they are actually training a trainee.
2. Eliminate Recruit Pay effective and retroactive 7-1-24 and move all recruit employees to step 1.
3. Bereavement leave- add an additional two (2) days off for loss of a spouse or child of the employee.
4. The City will endeavor to develop an App based system for the distribution of outside details.

A financial order reflecting the cost of the wage increase is attached.

In accordance with the Ch. 656 of the Acts of 1989, the Chief Financial Officer must give in writing her opinion relative to the financial impact of the agreement on the existing level of municipal services.

If you have any other questions, please feel free to contact this office.

Sincerely,



William E. Mahoney
Director of Human Resources & Labor Relations

cc: Mayor Domenic J. Sarno

cc: Cathy Buono, CAFO

cc: File

City of Springfield
36 Court Street
Springfield, MA 01103



Division of Administration
and Finance

To: Springfield City Council
From: Cathy Buono, Chief Administrative & Financial Officer
Date: April 28, 2025
Re: Order for Council Meeting – April 28, 2025
Cc: Mayor Sarno

Purpose: The purpose of this memo is to provide an explanation of the order sponsored by the Mayor for the April 28, 2025 City Council meeting, which requests the ratification of the current agreement between the City of Springfield and the International Brotherhood of Police Officers Local 364 (“IBPO”).

Background: This bargaining unit has ratified new collective bargaining agreements for the time period of July 1, 2024 to June 30, 2028, which contain the following wage increases:

FY25 (7-1-24 to 6-30-25)	3.5%
FY26 (7-1-25 to 6-30-26)	3.5%
FY27 (7-1-26 to 6-30-27)	3.5%
FY28 (7-1-27 to 6-30-28)	3.5%

The City will also need to fund any retroactive pay agreed upon under this new contract. The Police Department’s Personal Services budget will continue to be evaluated throughout the fiscal year to determine if an additional appropriation is necessary to fund the proposed increases, at which time a supplemental transfer order would be brought before the Council.

CAFO Certification: This memorandum will confirm that in my professional opinion, as the Chief Administrative and Financial Officer, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in this City Council Order, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.

This certification is made in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008.



City Council
36 Court Street
Springfield, MA 01103

SCHEDULED

PETITION (ID # 8585)

Meeting: 04/28/25 07:00 PM
Department: Department of Public Works
Category: General
Prepared By: Hector Velez
Initiator: Hector Velez
Sponsors:
DOC ID: 8585

Honorary Sign -Leo A. Florian Way

SPRINGFIELD TRAFFIC COMMISSION MEETING AGENDA

Wednesday, December 4, 2024

Meeting Hour: 10:15 A.M

Location: 70 Tapley Street, Springfield MA (Conference Room)

This meeting will be held utilizing remote participation technology via ZOOM.

24-35 Honorary Street Sign - Leo A. Florian Way

Other business that may lawfully come before the Traffic Commission according to the Open Meeting Law

To Provide for Public Comment on this petition in writing before or within five days after the hearing or copies of said petition, texts, and maps may be requested by email or phone or viewed at 70 Tapley Street by appointment. Emails should be directed to hvelez@springfieldcityhall.com or by calling the Traffic Commission at (413) 784-4891



South End Citizens Council, Inc.
510 Main St. - Springfield, Ma. 01105
Email: southendcitizenscouncilinc@yahoo.com
Phone: (413) 732-5105

October 21, 2024

To whom it may concern,

The South End Citizens Council, Inc. would support the Honorary Street Naming of Wendell Place to Leo A. Florian Way.

Leo has been a champion for the South End of Springfield all his life and has lived on Wendell Place all his life.

We could not think of anyone more deserving of this honor.

Thank you.

Respectively,

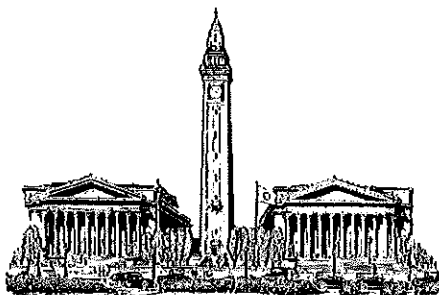
Shane Milette
Vice President
South End Citizens Council, Inc.

**DEPARTMENT OF
PUBLIC WORKS**

ENGINEERING DIVISION

70 TAPLEY STREET
SPRINGFIELD, MA 01104

413-787-6210 413-787-6029 FAX



**CITY OF SPRINGFIELD
MASSACHUSETTS**

Honorary Street Sign Policy and Application

PURPOSE OF PROGRAM

The Honorary Street Sign Program provides citizens of the City of Springfield with an opportunity to honor people that have made significant contributions to the City. The program is administered by the City Traffic Commission in conjunction with the Public Work Department. All supporting documentation is required at time of application submittal.

PROCEDURES

1. Applicant completes attached Honorary Street Designation Application.
2. The project proponent must first present the request to their neighborhood civic association for consideration.
3. If the neighborhood civic association is in favor of the applicant's request, they will send the Application to the Chairman of the Traffic Commission on behalf of the applicant along with all supporting documentation.
4. Traffic Commission will review the request at one of their meetings. The applicant or their representative must be present at the meeting.
5. The Traffic Commission will contact the neighborhood civic association through the Department of Public Works with their decision.

CRITERIA FOR REVIEW

- Historical and/or cultural influence of the applicant on the City.
- Proof of significant lineage to the City.
- Clear geographical relationship of street to the area of interest of applicant.
- Known to be of good moral character.
- Clearly defined community or public contribution made by the honoree.

SIGN COSTS

The total cost for one sign including installation is \$250.00. The cost for two signs including installation is \$370.00. This must be paid by the applicant before the sign fabrication begins. This should be submitted to the Engineering Division of the Public Works Department.

GENERAL CONDITIONS

- Applicant will be responsible for all the costs associated, if approved.
- There shall be no more than two (2) signs per person honored.
- The city is not responsible for the maintenance and replacement of sign(s) in the future.
- The sign(s) will be no larger than 12" X 12" with blue background and white lettering.
- All proposed locations must be on City public ways approved by the Department of Public Works.

The City will not be responsible for replacing stolen, vandalized or damaged signs and poles. The City reserves the right to remove any sign and post it considers in poor condition. These signs and poles will not be replaced. A petitioner will need to go back to their neighborhood civic association and repeat the process for replacements. This will include paying associated costs. This is to ensure that the community feels the person should still be honored in this fashion.

Please complete the application below and return it to the Department of Public Work:

**City of Springfield
Honorary Street Sign Application**

APPLICANT INFORMATION

*Please print clearly

Applicant's Name:

Shane Milette

Organization/Company:

South End Citizens Council, Inc.

Street Address:

28 Wendell Place

Telephone:

(413) 355 6232

E-mail:

shanemilette@yahoo.com

HONORARY NAME REQUEST

NAME OF HONOREE:

Leo A. Florian

(As it would appear on the Street Name Sign)

LOCATION:

Wendell Place & Main St (corner)

Criteria for NAME REQUEST

Please complete the following criteria that apply, which are used in the evaluation for each request for an honorary street sign, attach documents or use additional paper if required.

Historical and/ or Cultural Influence to the City:

Leo A. Florian has retired after 41 years to the city of Springfield in the health Dept. He is the longest running President of the South End Citizens Council, Inc. For 25 years and still going, also is a member of the Planning board.

Clearly Defined Community or Public Contribution Made by the Honoree:

Leo A. Florian has been involved with the South End Citizens Council, Inc. to preserve its heritage and Leo also is on the planning board 12 years Vice Chair of the Casino oversight Committee

Humanitarian Efforts:

Leo A. Florian has worked as a mediator in Springfield's courts as a ~~an~~ city employee for 40 years

Provide Proof of Significant Lineage or Family Ties to the City:

Leo A. Florian has lived on Wendell Place his whole life.

Establish clear geographical relationship of street to the area of interest of the applicant:

Born & Raised on Wendell Place & still living there

Number of sign (s) required.

Please circle one:

1

or

2

SIGNATURE OF APPLICANT:

My application consists of the following items necessary for a complete application. Please check:

☒ Completed Application Form, *plus a \$250 or \$370 fee* (make checks payable to "City of Springfield")

☐ A *typed* recommendation from the Neighborhood Civic Association stating the designee and preferred location.

Signature of Applicant:

Shane Curtin Pitt Mitchell Date: 21-Oct-2024

Office use only:

Date Sign Installed: _____

**I SHANE MILETTE VICE PRESIDENT OF THE SOUTH END CITIZENS COUNCIL, INC. AND A HOMEOWNER OF
26-28 WENDELL PLACE**

Would like to petition for a street dedicated in the name of lifetime resident Leo A. Florian of 18 Wendell Place.

Leo was born, raised and lived on Wendell Place in Springfield's South End his entire life.

Leo has been the longest running President of The South End Citizens Council, Inc. for 25 years, since 1999.

Leo has just retired after dedicating 41 years to The City of Springfield and I feel there is No One More Devoted and Hard Working for the South End and the Most Deserving of having his lifetime street, named in his honor.

So, I ask for your support. Thank You

Wendell Place Residents

Name (Please Print Clearly)	Signature	Address
Shane Milette	Shane Milette	28 Wendell Place
Jessie Wright	Jessie Wright	28 Wendell Pl
Dupree Wilder	Dupree Wilder	32 Wendell Pl
Nosella Morrison	Nosella Morrison	32 Wendell PL
Jennifer Calabrese	Jennifer Calabrese	487 Main St
Antonio Calabrese	Antonio Calabrese	487 MAIN ST
Bettie Wilder	Bettie Wilder	32 Wendell PL
Sheree Daniels	Sheree Daniels	32 Wendell PL
Maritza Torres	Maritza Torres	10 Wendell Pl.
Roxanne Fotiathi	Roxanne Fotiathi	10 Wendell Pl.
Kristina Liberti	K Liberti	21 Wendell Pl.
Destiny Hernandez	Destiny Hernandez	29 Wendell Pl.
LaQuanda Brown	LaQuanda Brown	35 Wendell Pl 3rd floor
Derek Hickson Jr	Derek Hickson	35 Wendell Pl
Derek Hickson Sr	Derek Hickson	35 Wendell Pl 3rd floor

Attachment: 24-35 (8585 : Honorary Sign -Leo A. Florian Way)

**I SHANE MILETTE VICE PRESIDENT OF THE SOUTH END CITIZENS COUNCIL, INC. AND A HOMEOWNER OF
26-28 WENDELL PLACE**

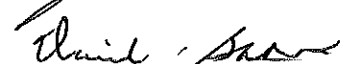
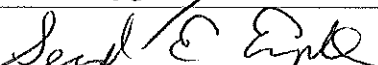
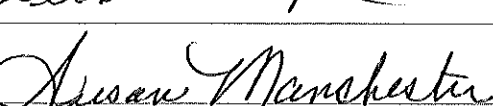
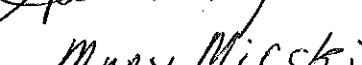
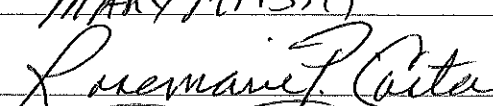
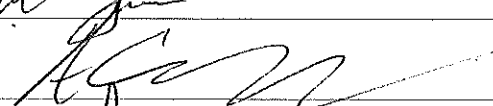
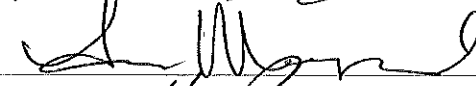
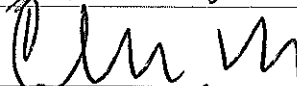
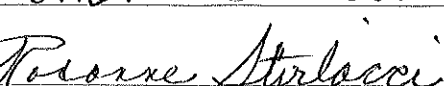
Would like to petition for a street dedicated in the name of lifetime resident Leo A. Florian of 18 Wendell Place.

Leo was born, raised and lived on Wendell Place in Springfield's South End his entire life.

Leo has been the longest running President of The South End Citizens Council, Inc. for 25 years, since 1999.

Leo has just retired after dedicating 41 years to The City of Springfield and I feel there is No One More Devoted and Hard Working for the South End and the Most Deserving of having his lifetime street, named in his honor.

So, I ask for your support. Thank You

Name (Please Print Clearly)	Signature	Address
Joel Rosemond		130 Pearl Street
Daniel BATTISTO		235 State St.
GERALD ENRIGHT		76 TEMPLE ST.
Susan Rueli Manchester		19 Margaret St.
Mary Marks		Fremont St
Jeremarie L. Costa		19 Margaret St.
Victoria Green		118 GOVERNOR ST
PAT PIETRUCCI		27 Arcadia Blvd
Michael Green		118 Governor St.
Anthony Green		118 Governor St
Tara Maynard		43 Margaret St.
Michael Pietrucci		27 Arcadia Blvd
CHARLES BECKER		459 PAGE BLVD
ROSE STIRLACCI		
Mary Anne Herron		351 Arcadia Blvd Spfld 01118
Michael Pietrucci		4 Barry willis Place Springfield, MA
Domenic Pietrucci		4 Barry willis Pl Springfield, MA
Rosanne Stirlacci		28 California Ave. Spfld, MA 01118

Attachment: 24-35 (8585 : Honorary Sign -Leo A. Florian Way)

**I SHANE MILETTE VICE PRESIDENT OF THE SOUTH END CITIZENS COUNCIL, INC. AND A HOMEOWNER OF
26-28 WENDELL PLACE**

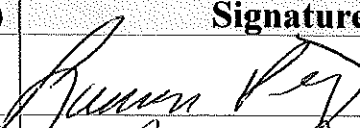
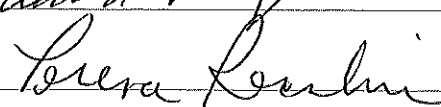
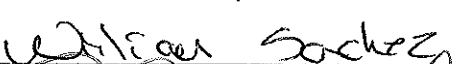
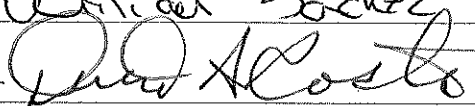
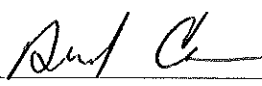
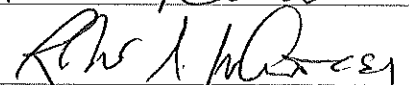
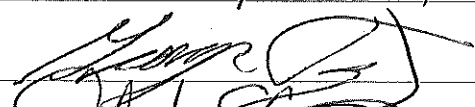
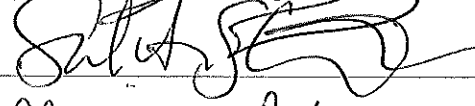
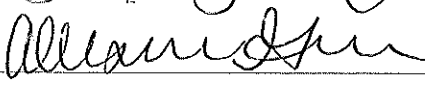
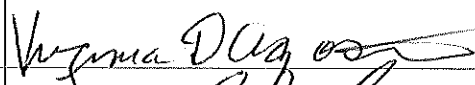
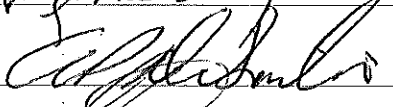
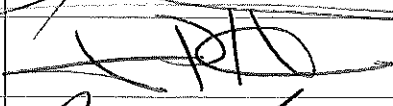
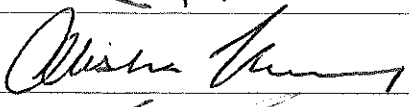
Would like to petition for a street dedicated in the name of lifetime resident Leo A. Florian of 18 Wendell Place.

Leo was born, raised and lived on Wendell Place in Springfield's South End his entire life.

Leo has been the longest running President of The South End Citizens Council, Inc. for 25 years, since 1999.

Leo has just retired after dedicating 41 years to The City of Springfield and I feel there is No One More Devoted and Hard Working for the South End and the Most Deserving of having his lifetime street, named in his honor.

So, I ask for your support. Thank You

Name (Please Print Clearly)	Signature	Address
Lawrence Pietrucci		11 Sackey Willis Pl
Leresa Recchia		17 Ozark St Spf
William Sanchez		341 Warriner Ave
DAVID A COSTA		
DANIEL COHEN		119 APPLETON ST.
TONI		
TONI BALDINI		16 Nassau Dr
ROBERT WHITE		
George Tazzini		
SALVATORE CIRICOSTA		24 Burlington St.
Allison Green		118 Governor St.
Virginia Dagostino		-
Anthony P. DiSantis		
Tony Simmon		
Juan M Padilla		19 Abbe Ave
Alisha Kumar		
Elijah Ayers		
Halie Matthew		

**I SHANE MILETTE VICE PRESIDENT OF THE SOUTH END CITIZENS COUNCIL, INC. AND A HOMEOWNER OF
26-28 WENDELL PLACE**

Would like to petition for a street dedicated in the name of lifetime resident Leo A. Florian of 18 Wendell Place.

Leo was born, raised and lived on Wendell Place in Springfield's South End his entire life.

Leo has been the longest running President of The South End Citizens Council, Inc. for 25 years, since 1999.

Leo has just retired after dedicating 41 years to The City of Springfield and I feel there is No One More Devoted and Hard Working for the South End and the Most Deserving of having his lifetime street, named in his honor.

So, I ask for your support. Thank You

Name (Please Print Clearly)	Signature	Address
Elizabeth Johnson	<i>Elizabeth Johnson</i>	31 Hutton St. Springfield
L'Tanya A. Giddens	<i>L'Tanya A. Giddens</i>	403 Maple St. 0110
Roy Webb	<i>Roy Webb</i>	
Laurie Christofori	<i>Laurie Christofori</i>	53 Thonet Ter
Chris Moyer	<i>Chris Moyer</i>	
Emil Aguirre	<i>Emil Aguirre</i>	
CHARLES Becken	<i>Charles Becken</i>	
Sue Haley Arce	<i>Sue Haley Arce</i>	
Maryann J. Sandoz	<i>Maryann J. Sandoz</i>	
William Baker	<i>William Baker</i>	235 Alton Rd

Attachment: 24-35 (8585 : Honorary Sign -Leo A. Florian Way)



City Council
36 Court Street
Springfield, MA 01103

FILE COMPLETED

PETITION (ID # 8584)

Meeting: 04/28/25 07:00 PM
Department: City Council
Category: Special Permit
Prepared By: Gladys Oyola-Lopez
Initiator: Megan Anzalotti
Sponsors:
DOC ID: 8584

11 Liberty Street Fuel Storage Petition

Petition for a 5,000 gallon above-ground diesel storage at 11 Liberty. The addition of the new diesel storage unit is for the on-site bus maintenance garage.

Petitioner: Park View South, LLC.
By: Brian McCabe
Address: 11 Liberty Street

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

to amend the Springfield Zoning Ordinance by amending Article 8, Section 8.4 (Floodplain Overlay District), as set forth in the proposed amendment attached hereto:

SEE ATTACHED DOCUMENT(S)

Mailing Address:

36 Court Street
 Springfield, MA 01103

Petitioner:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

BY:

Springfield Planning Board

SECTION 8.4 FLOODPLAIN OVERLAY DISTRICT

Section 8.4.10 Purpose

The purpose of the Floodplain District is to:

- A. Ensure public safety through reducing the threats to life and personal injury;
- B. Eliminate new hazards to emergency response officials;
- C. Prevent the occurrence of public emergencies resulting from water quality, contamination and pollution due to flooding;
- D. Avoid the loss of utility services, which if damaged by flooding, would disrupt or shutdown the utility network and impact regions of the community beyond the site of flooding;
- E. Eliminate costs associated with the response and cleanup of flooding conditions;
- F. Reduce damage to public and private property resulting from flooding waters.

Section 8.4.20 Definitions (only applicable to the Floodplain Overlay District)

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59].

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202].

FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14].

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59].

HISTORIC STRUCTURE. Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs. [US Code of Federal Regulations, Title 44, Part 59].

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14].

RECREATIONAL VEHICLE. A vehicle which is: (a) Built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. [US Code of Federal Regulations, Title 44, Part 59].

REGULATORY FLOODWAY. - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent

construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202].

STRUCTURE. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59].

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation result in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC].

VARIANCE. A grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59].

VIOLATION. The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59].

Section 8.4.30 Flood Plain District

The Floodplain District is herein established as an overlay district. The district includes all special flood hazard areas within the City of Springfield designated as Zone A and AE on the Hampden County Flood Insurance Rate Map (FIRM) dated June 7, 2023 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the district shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Hampden County Flood Insurance Study (FIS) report dated June 7, 2023. The FIRM and FIS report are incorporated herein by reference and are on file with the City Clerk, Office of Planning & Economic Development and

the Building Department. Further, the Building Commissioner, or his/her designee, is designated as the official floodplain administrator.

Section 8.4.40 Development Regulations

The following requirements apply in the Flood Plain District:

- 8.4.41** The City of Springfield requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.
- 8.4.42** Application to the Board of Appeals for a Special Permit shall be accompanied by a plan which shall show the following:
- A. Boundaries and dimensions of the area involved.
 - B. The location, dimensions and mean sea level of the lowest habitable floor, including basement of existing and proposed BUILDINGS and STRUCTURE thereon, and the elevation to which the STRUCTURE has been flood-proofed.
 - C. All plans shall show two (2) foot contour intervals and contours shall be delineated within two hundred (200) feet of the proposed construction.
 - D. In a riverine situation, the Natural Resource Manager shall notify the following of any alteration or relocation of a watercourse:
 - 1. Adjacent Communities
 - 2. NFIP State Coordinator, Massachusetts Department of Conservation and Recreation.
 - 3. NFIP Program Specialists, Federal Emergency Management Agency, Region I.
 - E. The City of Springfield's permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

- F. Any other information as is deemed necessary by the SPECIAL PERMIT GRANTING AUTHORITY to indicate the complete physical characteristics of the area and the proposed construction and/or grading thereof.

8.4.43 Plans shall be prepared by a Professional Engineer or Land Surveyor registered in the Commonwealth of Massachusetts and shall show and make adequate provisions for the following:

- A. The protection, preservation and maintenance of the water table and water recharge areas.
- B. The preservation and maintenance of the natural stream channel plus sufficient width of overbank areas for the passage of one hundred (100) year flood flows so as not to increase the one hundred (100) year flood water surface elevation more than one (1) foot at any point within the community.
- C. The retention of existing floodwater storage capacity.
- D. Prevention of flotation, collapse and movement of STRUCTURES.
- E. Prevention of flood damage to public utilities including sewer, water, gas, and electric.
- F. In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
- H. When proposing subdivisions or other developments greater than fifty (50) lots or five (5) acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
- I. All subdivision proposals must be designed to assure that:
 - 1. such proposals minimize flood damage;

2. all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
3. adequate drainage is provided to reduce exposure to flood hazards.

J. Located within the Flood Plain District are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of Flood Waters which carry debris, potential projectiles, and erosion potential, the following provisions shall apply:

1. In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. If Section 8.4.43(I)(1) above is satisfied, all new construction and any alteration or addition shall comply with all provisions of Section 8.4.40.
3. Within fourteen (14) days after receipt of the application by the Board of Appeals, the Board shall transmit copies thereof, together with copies of the accompanying plan to the Board of Health, Engineering Department and the Conservation Commission or any other agency. Such agencies shall investigate the application and report in writing their recommendation to the Board of Appeals. The Board of Appeals shall not take final action on such application until it has received a written report from the above agencies or until forty-five (45) days have elapsed without receipt of said reports.

Section 8.4.50 Recreational Vehicles

In A and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than one hundred and eighty (180) consecutive days or be fully licensed and highway ready.

Section 8.4.60 Requirement to Submit New Data

If the City of Springfield acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the City will, within six (6) months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s).

Notification shall be submitted to:

- A. NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
- B. NFIP Program Specialist, Federal Emergency Management Agency, Region 1

Section 8.4.70 Variances to Building Code and Zoning Floodplain Standards

The City of Springfield will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The City of Springfield shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

Section 8.4.80 Compliance with Other Statutes

Nothing contained in this section shall excuse compliance with the Wetlands Protection Statutes, General Laws, Chapter 131, Sections 40 and 40A, or any other laws of the Commonwealth of Massachusetts. Further, the floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

Section 8.4.90 Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable but does not imply total flood protection.

Section 8.4.100 Severability

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE

AMEND ARTICLE 8, SECTION 8.4
(FLOODPLAIN OVERLAY DISTRICT)

GENERAL INFORMATION

Petitioner:	Springfield Planning Board
Request:	The proposal is to amend Article 8, Section 8.4 of the Springfield Zoning Ordinance (see attached for full proposed amendment).
Location:	City Wide
Parcel Size:	N/A
Purpose:	To bring the City's Floodplain Overlay District regulation into compliance with FEMA and the National Flood Insurance Program requirements.
Surrounding Land Use and Zoning:	N/A
Comprehensive/ Neighborhood Plan:	N/A
Planning Board Hearing:	4-2-25

SPECIAL INFORMATION

Traffic & Parking:	n/a
Physical Characteristics:	n/a
Other Notes:	n/a

ANALYSIS

The Office of Planning & Economic Development, in conjunction with the Springfield Planning Board, has petitioned to amend Article 8, Section 8.4 of the Springfield Zoning Ordinance. The proposed amendment is to update the Floodplain Overlay District regulations.

As noted above, the Office of Planning & Economic Development has drafted an updated version of the Floodplain Overlay District regulations. The proposed amendments are to bring the city regulations into compliance with the Federal Emergency Management Agency (FEMA) and the National Flood Insurance Program (NFIP) requirements.

The Floodplain Overlay District regulations controls development, including new construction and changes to existing buildings, in areas designated as a special flood hazard area within the City of Springfield. These areas are outlined within the Hampden County Flood Insurance Rate Maps (FIRM), which are issued by FEMA.

The purposed of the Floodplain Overlay District is to:

- Ensure public safety through reducing the threats to life and personal injury;
- Eliminate new hazards to emergency response;
- Prevent the occurrence of public emergencies resulting from water quality, contamination and pollution due to flooding;
- Avoid the loss of utilities, which if damaged by flooding, would disrupt or shutdown the utility network and impact regions of the community beyond the site of flooding;
- Eliminate costs associated with the response and cleanup of flooding conditions;
- Reduce damage to public and private property resulting from flooding waters.

The Office of Planning & Economic Development has been working directly with the Floodplain Management Specialist from the Massachusetts Department of Conservation & Recreation (DCR). After a number of revisions, the final version of the proposed Floodplain Overlay District regulations was fully reviewed and approved by DRC.

Overall, in order to keep the City's floodplain regulations in compliance with both FEMA and NFIP requirements, the staff recommends approval of the proposed revisions.

RECOMMENDATION

Approve.

SECTION 8.4 FLOODPLAIN OVERLAY DISTRICT

Section 8.4.10 Purpose

The purpose of the Floodplain District is to:

- A. Ensure public safety through reducing the threats to life and personal injury;
- B. Eliminate new hazards to emergency response officials;
- C. Prevent the occurrence of public emergencies resulting from water quality, contamination and pollution due to flooding;
- D. Avoid the loss of utility services, which if damaged by flooding, would disrupt or shutdown the utility network and impact regions of the community beyond the site of flooding;
- E. Eliminate costs associated with the response and cleanup of flooding conditions;
- F. Reduce damage to public and private property resulting from flooding waters.

Section 8.4.20 Definitions (only applicable to the Floodplain Overlay District)

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including but not limited to building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. [US Code of Federal Regulations, Title 44, Part 59].

FLOODWAY. The channel of the river, creek or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. [Base Code, Chapter 2, Section 202].

FUNCTIONALLY DEPENDENT USE. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities. [US Code of Federal Regulations, Title 44, Part 59] Also [Referenced Standard ASCE 24-14].

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. [US Code of Federal Regulations, Title 44, Part 59].

HISTORIC STRUCTURE. Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs. [US Code of Federal Regulations, Title 44, Part 59].

NEW CONSTRUCTION. Structures for which the start of construction commenced on or after the effective date of the first floodplain management code, regulation, ordinance, or standard adopted by the authority having jurisdiction, including any subsequent improvements to such structures. *New construction includes work determined to be substantial improvement.* [Referenced Standard ASCE 24-14].

RECREATIONAL VEHICLE. A vehicle which is: (a) Built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) Designed to be self-propelled or permanently towable by a light duty truck; and (d) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. [US Code of Federal Regulations, Title 44, Part 59].

REGULATORY FLOODWAY. - see FLOODWAY.

SPECIAL FLOOD HAZARD AREA. The land area subject to flood hazards and shown on a Flood Insurance Rate Map or other flood hazard map as Zone A, AE, A1-30, A99, AR, AO, AH, V, VO, VE or V1-30. [Base Code, Chapter 2, Section 202]

START OF CONSTRUCTION. The date of issuance for new construction and substantial improvements to existing structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement is within 180 days after the date of issuance. The actual start of construction means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of a slab or footings, installation of pilings or construction of columns. Permanent

construction does not include land preparation (such as clearing, excavation, grading or filling), the installation of streets or walkways, excavation for a basement, footings, piers or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the actual “start of construction” means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Base Code, Chapter 2, Section 202].

STRUCTURE. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. [US Code of Federal Regulations, Title 44, Part 59].

SUBSTANTIAL REPAIR OF A FOUNDATION. When work to repair or replace a foundation result in the repair or replacement of a portion of the foundation with a perimeter along the base of the foundation that equals or exceeds 50% of the perimeter of the base of the foundation measured in linear feet, or repair or replacement of 50% of the piles, columns or piers of a pile, column or pier supported foundation, the building official shall determine it to be substantial repair of a foundation. Applications determined by the building official to constitute substantial repair of a foundation shall require all existing portions of the entire building or structure to meet the requirements of 780 CMR. [As amended by MA in 9th Edition BC].

VARIANCE. A grant of relief by a community from the terms of a flood plain management regulation. [US Code of Federal Regulations, Title 44, Part 59].

VIOLATION. The failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in §60.3 is presumed to be in violation until such time as that documentation is provided. [US Code of Federal Regulations, Title 44, Part 59].

Section 8.4.30 Flood Plain District

The Floodplain District is herein established as an overlay district. The district includes all special flood hazard areas within the City of Springfield designated as Zone A and AE on the Hampden County Flood Insurance Rate Map (FIRM) dated June 7, 2023 issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The exact boundaries of the district shall be defined by the 1%-chance base flood elevations shown on the FIRM and further defined by the Hampden County Flood Insurance Study (FIS) report dated June 7, 2023. The FIRM and FIS report are incorporated herein by reference and are on file with the City Clerk, Office of Planning & Economic Development and

the Building Department. Further, the Building Commissioner, or his/her designee, is designated as the official floodplain administrator.

Section 8.4.40 Development Regulations

The following requirements apply in the Flood Plain District:

- 8.4.41 The City of Springfield requires a permit for all proposed construction or other development in the floodplain overlay district, including new construction or changes to existing buildings, placement of manufactured homes, placement of agricultural facilities, fences, sheds, storage facilities or drilling, mining, paving and any other development that might increase flooding or adversely impact flood risks to other properties.
- 8.4.42 Application to the Board of Appeals for a Special Permit shall be accompanied by a plan which shall show the following:
- A. Boundaries and dimensions of the area involved.
 - B. The location, dimensions and mean sea level of the lowest habitable floor, including basement of existing and proposed BUILDINGS and STRUCTURE thereon, and the elevation to which the STRUCTURE has been flood-proofed.
 - C. All plans shall show two (2) foot contour intervals and contours shall be delineated within two hundred (200) feet of the proposed construction.
 - D. In a riverine situation, the Natural Resource Manager shall notify the following of any alteration or relocation of a watercourse:
 - 1. Adjacent Communities
 - 2. NFIP State Coordinator, Massachusetts Department of Conservation and Recreation.
 - 3. NFIP Program Specialists, Federal Emergency Management Agency, Region I.
 - E. The City of Springfield's permit review process includes the requirement that the proponent obtain all local, state and federal permits that will be necessary in order to carry out the proposed development in the floodplain overlay district. The proponent must acquire all necessary permits, and must demonstrate that all necessary permits have been acquired.

- F. Any other information as is deemed necessary by the SPECIAL PERMIT GRANTING AUTHORITY to indicate the complete physical characteristics of the area and the proposed construction and/or grading thereof.

8.4.43 Plans shall be prepared by a Professional Engineer or Land Surveyor registered in the Commonwealth of Massachusetts and shall show and make adequate provisions for the following:

- A. The protection, preservation and maintenance of the water table and water recharge areas.
- B. The preservation and maintenance of the natural stream channel plus sufficient width of overbank areas for the passage of one hundred (100) year flood flows so as not to increase the one hundred (100) year flood water surface elevation more than one (1) foot at any point within the community.
- C. The retention of existing floodwater storage capacity.
- D. Prevention of flotation, collapse and movement of STRUCTURES.
- E. Prevention of flood damage to public utilities including sewer, water, gas, and electric.
- F. In A Zones, in the absence of FEMA BFE data and floodway data, the building department will obtain, review and reasonably utilize base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring new construction, substantial improvements, or other development in Zone A and as the basis for elevating residential structures to or above base flood level, for floodproofing or elevating nonresidential structures to or above base flood level, and for prohibiting encroachments in floodways.
- H. When proposing subdivisions or other developments greater than fifty (50) lots or five (5) acres (whichever is less), the proponent must provide technical data to determine base flood elevations for each developable parcel shown on the design plans.
- I. All subdivision proposals must be designed to assure that:
 - 1. such proposals minimize flood damage;

2. all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
 3. adequate drainage is provided to reduce exposure to flood hazards.
- J. Located within the Flood Plain District are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of Flood Waters which carry debris, potential projectiles, and erosion potential, the following provisions shall apply:

1. In Zones A, A1-30, and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM encroachments are prohibited, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. If Section 8.4.43(I)(1) above is satisfied, all new construction and any alteration or addition shall comply with all provisions of Section 8.4.40.
3. Within fourteen (14) days after receipt of the application by the Board of Appeals, the Board shall transmit copies thereof, together with copies of the accompanying plan to the Board of Health, Engineering Department and the Conservation Commission or any other agency. Such agencies shall investigate the application and report in writing their recommendation to the Board of Appeals. The Board of Appeals shall not take final action on such application until it has received a written report from the above agencies or until forty-five (45) days have elapsed without receipt of said reports.

Section 8.4.50 Recreational Vehicles

In A and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored in accordance with the zone's regulations for foundation and elevation requirements or be on the site for less than one hundred and eighty (180) consecutive days or be fully licensed and highway ready.

Section 8.4.60 Requirement to Submit New Data

If the City of Springfield acquires data that changes the base flood elevation in the FEMA mapped Special Flood Hazard Areas, the City will, within six (6) months, notify FEMA of these changes by submitting the technical or scientific data that supports the change(s). Notification shall be submitted to:

- A. NFIP State Coordinator, Massachusetts Department of Conservation and Recreation
- B. NFIP Program Specialist, Federal Emergency Management Agency, Region 1

Section 8.4.70 Variances to Building Code and Zoning Floodplain Standards

The City of Springfield will request from the State Building Code Appeals Board a written and/or audible copy of the portion of the hearing related to the variance, and will maintain this record in the community's files.

The City of Springfield shall also issue a letter to the property owner regarding potential impacts to the annual premiums for the flood insurance policy covering that property, in writing over the signature of a community official that (i) the issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction below the base flood level increases risks to life and property.

Such notification shall be maintained with the record of all variance actions for the referenced development in the floodplain overlay district.

A variance from these floodplain bylaws must meet the requirements set out by State law, and may only be granted if: 1) Good and sufficient cause and exceptional non-financial hardship exist; 2) the variance will not result in additional threats to public safety, extraordinary public expense, or fraud or victimization of the public; and 3) the variance is the minimum action necessary to afford relief.

Section 8.4.80 Compliance with Other Statutes

Nothing contained in this section shall excuse compliance with the Wetlands Protection Statutes, General Laws, Chapter 131, Sections 40 and 40A, or any other laws of the Commonwealth of Massachusetts. Further, the floodplain management regulations found in this Floodplain Overlay District section shall take precedence over any less restrictive conflicting local laws, ordinances or codes.

Section 8.4.90 Disclaimer of Liability

The degree of flood protection required by this ordinance is considered reasonable but does not imply total flood protection.

Section 8.4.100 Severability

If any section, provision or portion of this bylaw is deemed to be unconstitutional or invalid by a court, the remainder of the ordinance shall be effective.



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY FIVE

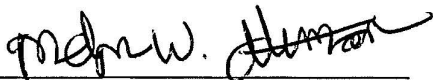
AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

Be it ordained by the City Council of the City of Springfield as follows:

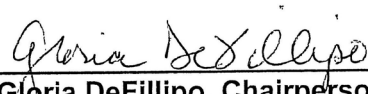
SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, effective August 26, 2013, as amended, is hereby further amended by **amending Article 8, Section 8.4 (Floodplain Overlay District). “The entire City Building Zone Map of the City of Springfield.”**

Approved as to Form:


Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on April 2, 2025, regarding the above Ordinance amendment.

1 Person(s) appeared in favor, and 0 Person(s) appeared in opposition.


Gloria DeFillipo, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY FIVE

AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, effective August 26, 2013, as amended, is hereby further amended **by amending Article 8, Section 8.4 (Floodplain Overlay District)**. “The **entire City Building Zone Map of the City of Springfield.**”

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3253
SECTION: Entire City

DATE: April 3, 2025

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: Springfield Planning Board

ADDRESS: Entire City

CHANGE REQUESTED: by amending Article 8 by adding Section 8.4 (Floodplain Overlay District)

PETITIONER'S PURPOSE STATEMENT: To bring the City's Floodplain Overlay District regulations into compliance with the FEMA and National Flood Insurance Program requirements.

DATE OF PUBLIC HEARING: April 2, 2025

DATE OF FINAL DECISION: April 2, 2025

BOARD MEMBERS PRESENT and COUNT: six (6): Mr. Daniele, Mr. Mineo, Mr. Cunningham, Mr. Florian, Ms. Morin and Ms. McQuade

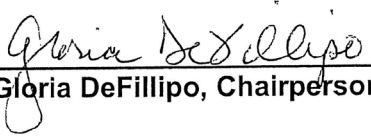
FINAL MOTION: APPROVE

IN FAVOR: six (6): Mr. Daniele, Mr. Mineo, Mr. Cunningham, Mr. Florian, Ms. Morin and Ms. McQuade

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE


Gloria DeFillipo, Chairperson