



CITY COUNCIL

City Clerk's Office 5/22/2025

Special 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 **Tuesday May 27, 2025** at 12:00 PM.

City Clerk

Call to Order

12:00 PM Meeting called to order on May 27, 2025 at Hybrid Room 200, 36 Court Street, Springfield, MA.

Orders

- (1.) Order Authorizing the Continued Legal Representation of the City Council and Its Individual Members by the Conservation Law Foundation, in the Matter of Palmer Renewable Energy, LLC V. Zoning Board of Appeals of the City of Springfield, Et Al. Massachusetts Appellate Case No. 2024-P-0136 (President Fenton)

Executive Session

"Executive Session for the purpose of discussing strategy with respect to the litigation known as Palmer Renewable Energy, LLC v. Zoning Board of Appeals for the City of Springfield, et al. (Appeals Court 2024-P-0136), where the Council President has declared that an open meeting may have a detrimental effect on the litigating position of the City Council."



City Council

SCHEDULED

Meeting: 05/27/25 12:00 PM
Initiator: Gladys Oyola-Lopez
Sponsors: President Michael A. Fenton
DOC ID: 8661

1

Order Authorizing the Continued Legal Representation of the City Council and Its Individual Members by the Conservation Law Foundation, in the Matter of Palmer Renewable Energy, LLC V. Zoning Board of Appeals of the City of Springfield, Et Al. Massachusetts Appellate Case No. 2024-P-0136 (President Fenton)

Order Authorizing the Continued Legal Representation of the City Council and its individual members by the Conservation Law Foundation, in the matter of Palmer Renewable Energy, LLC v. Zoning Board of Appeals of the City of Springfield, et al. Massachusetts Appellate Case No. 2024-P-0136

WHEREAS, the Springfield City Council previously engaged the legal services of the Conservation Law Foundation (“CLF”) to represent the body as its attorney in a certain Zoning Board of Appeals matter heard on April 28th, 2021 and May 5th, 2021 (the “ZBA Action”), which was appealed to the Land Court of the Commonwealth of Massachusetts on June 17th, 2021, under Massachusetts General Laws Chapter 40A Section 17, in case No. 21 PS 000331, (“Land Court Appeal”); and

WHEREAS, CLF represented the City Council and its individual members in the Land Court Appeal, which resulted in a finding by the court affirming the ZBA’s decision in the ZBA Action; and

WHEREAS, the Land Court decision was appealed by Palmer Renewable Energy, LLC (“PRE”) to the Massachusetts Appeals Court (“Appeals Court Action”), and Springfield City Council and its individual members further engaged CLF to represent it in the Appeals Court Action; and

WHEREAS, on May 7, 2025, the Appeals Court issued a decision overturning the findings of the Land Court, remanding the matter back to the ZBA for the restoration of the PRE building permits at issue in the case; and

WHEREAS, the Springfield City Council now desires to appeal the Appeals Court’s May 7, 2025, decision and to have CLF continue to represent the Council body and its individual members as their attorney in a further appeal to the Massachusetts Supreme Judicial Court, under the same terms and

conditions agreed to for representation in the ZBA Action, the Land Court Appeal, and the Appeals Court Action; and

WHEREAS, NOW THEREFORE, BE IT ORDERED, that the City Council of the City of Springfield hereby authorizes and approves the engagement of CLF to represent the Council body and its individual members as their attorney in an appeal of the Appeals Court decision to the Massachusetts Supreme Judicial Court, under the same terms and conditions agreed to for the ZBA Action, the Land Court Appeal and the Appeals Court Action.