



CITY COUNCIL

Hearings Meeting Agenda - 36 Court Street # 223

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, December 8, 2025** at 7:00 PM.

City Clerk

Roll Call

Moment Of Silence - Pledge Of Allegiance

Ordinances

1. **Amending Ordinance Chapter 275 Article IV** - 2nd & Final Steps
2. **Amending Ordinance Chapter 245 Article II** - 2nd & Final Steps
3. **Amending Ordinance Chapter 275 Article V** - 1st Step

Special Permits

4. **927 Boston Road & ES Phillips Avenue** — to amend an existing special permit (repair/sale), granted April 2017, by allowing a change in petitioner.

Zone Changes

5. **Zone Change** — to change the zoning of a portion of the property known as 390-392 Allen Street (00280-0096) from Residence A to Residence C.
6. **Zone Change** — to change the zoning of the properties known as SS Boston Road (01655-0687 & 0685) and Rear Boston Road (01655-0686) from Residence A to Business A.
7. **Amending Article 4** — Marijuana Dispensaries

AMENDING CHAPTER 275 ARTICLE IV, OF THE REVISED ORDINANCES OF THE CITY OF SPRINGFIELD, 1986, AS AMENDED, BY DELETING ARTICLE IV IN ITS ENTIRETY AND REPLACING IT WITH A NEW ARTICLE IV

Chapter 275 Article IV of the Revised Ordinances of the City of Springfield, 1986, as amended, is hereby amended by deleting Article IV in its entirety and replacing it with a new Article IV as follows:

"Chapter 275

Article IV

PROHIBITING THE MANUFACTURE SALE AND DISTRIBUTION OF THC AND
SYNTHETIC THC PRODUCTS

§ 275-12 Purpose and Preamble

WHEREAS, adult use marijuana is legal in the Commonwealth of Massachusetts and legal adult use marijuana products are comprehensively regulated by the Cannabis Control Commission; and

WHEREAS, tetrahydrocannabinol ("THC") as defined by this Section is the chemical responsible for most of marijuana's psychological effects; and

WHEREAS, unregulated, illegal products containing THC, often produced synthetically, are being sold throughout the City in gas stations, smoke shops, bodegas, and convenience stores, often marketed as "hemp" products; and

WHEREAS, legal, adult-use marijuana can be distinguished from CBD because it contains more than trace amounts of THC and CBD does not; and

WHEREAS, while the amount of THC found naturally in legal adult use marijuana is sufficient to create psychological effects, CBD does not contain enough of a concentration of THC to have any psychological effects; and

WHEREAS, in Massachusetts, products containing THC are illegal according to the Massachusetts Department Public Health, Massachusetts Department of Agriculture Resources and the

Massachusetts General Laws, unless sold and distributed by a marijuana establishment licensed and regulated by the Cannabis Control Commission; and

WHEREAS, products containing THC are not currently regulated by any agencies or departments of the Federal Government or the Commonwealth of Massachusetts; and

WHEREAS, there are no lab testing standards or safety requirements in place for the manufacture, sale and distribution of unregulated products containing THC; and

WHEREAS, products marketed for sale as "hemp" in the City have been found to a.) contain high amounts of highly intoxicating delta-9 THC and other THC compounds, b.) have been synthetically produced, and c.) contain harmful chemicals, pesticides, mold, solvents, bacteria, additives, and heavy metals including lead and mercury; and

WHEREAS, many products marketed as "hemp" are specifically marketed towards young adults and children and are easily available for purchase without any age or amount restrictions in gas stations, retail shops, bodegas, and various other businesses throughout the City of Springfield; and

NOW THEREFORE, the purpose of this Ordinance is to protect the health, welfare and safety of the public in the City of Springfield by prohibiting the manufacturing, sale, and distribution of Intoxicating Cannabinoid products, Synthetic Cannabinoid products, and/or unregulated products containing THC, authorizing the seizure and destruction of any Intoxicating Cannabinoid products, Synthetically Derived Cannabinoid products and/or unregulated THC products, and issuance of noncriminal civil disposition fines for prohibited actions.

§ 275-13 Definitions

The following definitions are applicable to the entire contents of this Ordinance (Chapter 275 Article IV):

"Consumable CBD", a product that is to be consumed by humans or is advertised, labeled or offered for sale as containing cannabinoids derived from hemp, that at most contains trace amounts of THC.

"THC" means tetrahydrocannabinol, including delta-8, delta-9, 2 delta-10, tetrahydrocannabinolic acid, and any other chemically similar compound, substance, derivative, or isomer of tetrahydrocannabinol, regardless of how derived or manufactured or any intoxicating compound, substance of derivative products by means of synthetic conversion.

"Hemp", the plant of the genus cannabis and any part of the plant, whether growing or not, with a THC concentration that does not exceed 0.3 per cent on a dry weight basis or per volume or weight of marijuana product or the combined per cent of delta-9-tetrahydrocannabinol and tetrahydrocannabinolic acid in any part of the plant of the genus cannabis regardless of moisture content that is produced by a in accordance with an approved State and Tribal Hemp Plan under 7 U.S.C. § 1639p or the Department of Agriculture plan under 7 U.S.C. § 1639q.

§ 275-14 Application

(i) No person, business entity or corporate entity shall be allowed within the City of Springfield to manufacture, sell or distribute THC without a marijuana establishment license from the Cannabis Control Commission and a marijuana operating permit from the Department of Health and Human Services, nor shall any person, business entity or corporate entity lease, sublease or otherwise permit property within their ownership or control to be used for the purpose of manufacturing, selling or distributing THC without a marijuana establishment license from the Cannabis Control Commission and a marijuana operating permit from the Department of Health and Human Services.

(ii) In furtherance of 105 CMR 590, no person, business entity or corporate entity shall be allowed to manufacture, sell or distribute any food products containing or claiming to contain Consumable CBD or Hemp or any products containing or claiming to contain Consumable CBD or Hemp that do not state "Only Trace Amounts of THC" on the packaging within the City of Springfield unless said products are approved through appropriate licensure from the Massachusetts Cannabis Control Commission, as authorized under the Massachusetts General Laws.

(iii) In furtherance of 105 CMR 665.005, no person, business entity or corporate entity shall be allowed to manufacture, sell or distribute vaping or smoking products containing or claiming to contain Hemp, Consumable CBD or THC within the City of Springfield, nor shall any person, business entity or corporate

entity lease, sublease or otherwise permit property within their ownership or control to be used for the purpose of manufacturing, selling or distributing vaping or smoking products containing or claiming to contain Hemp, Consumable CBD or THC within the City of Springfield.

(iv) In furtherance of M.G.L. c. 128 § 117(c), no person, business entity or corporate entity shall be allowed to manufacture, sell or distribute any Hemp, Consumable CBD, or THC making therapeutic and/or medicinal claims on the label, unless approved by the Federal Food and Drug Administration and no person, business entity or corporate entity shall be allowed to manufacture, sell or distribute unprocessed, processed, or Raw Hemp meant for end use by a consumer unless approved through appropriate licensure by the Cannabis Control Commission and/or the Massachusetts Department of Agricultural Resources.

(v) No owner of real property located within the City of Springfield who rents said property to a tenant for commercial purposes shall knowingly allow use of said property in violation of this Section.

(vi) Each incident in violation of this Section within the City of Springfield shall constitute a separate offense under this Chapter, and shall each be subject to the penalty and enforcement provisions of § 275-15. A violation of this Ordinance for the sale or distribution of a product containing more than one unit within a single package shall be treated as a number of incidents equal to the number of units in the single package.

(vii) No person, business entity to corporate entity shall deliver, transport, or otherwise distribute any THC, Hemp, or Consumable CBD products—including vaping or smoking products to any address within the City of Springfield unless such person holds a:

a. Valid Marijuana Delivery Operator License or Courier License issued by the Cannabis Control Commission; and

b. A permit City of Springfield Department of Health and Human Services.

Each unauthorized delivery shall constitute a separate offense subject to penalty and enforcement under § 275-15.

§ 275-15 Penalties and Enforcement

(i) The penalty for a violation of this Ordinance (Chapter 275 Article IV) shall be three hundred dollars (\$300) for each offense, and shall also include confiscation of all involved products by the City of Springfield through its Health and Human Services Department and/or its Police Department.

(ii) Penalties for violations of this Ordinance (Chapter 275 Article IV) may be lawfully enforced through any and all appropriate means under the law or in equity including but not limited to non-criminal disposition pursuant to G.L. c. 40, § 21D, by the City of Springfield's Commissioner of Public Health and his/her designated agents, and by the Springfield police Superintendent and his/her agents or any police officer. Appeals for violations of this Ordinance (Chapter 275 Article IV) may be undertaken in accordance with M.G.L. c. 40 § 21D.

(iii) Penalties for violation of this Ordinance (Chapter 275 Article IV) shall be eligible for conversion to municipal charges liens as a general ordinance of the City under Chapter 42 Article IV § 42-16 through §42-21, and in accordance with M.G.L. c. 40 § 58.

(iv) The Collector of the City shall include unpaid, outstanding charges for violations of this Ordinance (Chapter 275 Article IV) as part of any lists submitted to City Departments, Boards and Commissions under City Ordinance Chapter 229 § 229-2.

(v) Enforcement by injunction. Where a person, business entity or corporate entity commits more than three (3) offenses under this Ordinance (Chapter 275 Article IV) in any calendar year, the City may, in addition to any other remedy provided herein or in place thereof, seek an immediate injunction to prevent the continued violation of this Ordinance (Chapter 275 Article IV) through an appropriate proceeding instituted in a court of competent jurisdiction.

(vi) Any person, business entity, or corporate entity found in violation of this Ordinance (Chapter 275 Article IV) more than three (3) times within a twelve-month period shall be subject to enhanced penalties, including:

a. Mandatory suspension of local operating permits and occupancy permits for a minimum of 30 calendar days, subject to review by the Department of Health and Human Services;

b. A rebuttable presumption of revocation of business licenses and occupancy permits, particularly where repeated offenses demonstrate a pattern of disregard for public health or regulatory compliance;

c. A presumption of public nuisance, enabling the City to pursue civil remedies including temporary or permanent closure of the premises.

§ 275-16 Severability

In the event that any section, subsection or clause of this ordinance (Chapter 275 Article IV) is found to be unconstitutional, or otherwise unlawful by order a court of competent jurisdiction in the Commonwealth of Massachusetts, the validity of the remaining sections, subsections and clauses shall not be impacted or invalidated and shall continue in full force and effect. In the event that the General Court of the Commonwealth of Massachusetts enacts comprehensive legislation on this subject matter subsequent to the enactment of this Ordinance, then this Ordinance shall be interpreted as working in harmony with the Massachusetts General Laws. Any provisions of this Ordinance that are deemed in sharp conflict with any Massachusetts General Law shall be rendered moot and shall be removed via amendment to this Ordinance."

Approved as to form

Associate City Solicitor

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AMENDING CHAPTER 245 ARTICLE II, OF THE REVISED ORDINANCES OF
THE CITY OF SPRINGFIELD, 1986, AS AMENDED, BY ADDING A NEW
SECTION 245-7(A) (16)

Chapter 245 Article II of the Revised Ordinances of the City
of Springfield, 1986, as amended, is hereby amended by adding a
new section 245-7(A) (16) as follows:

Chapter 245 Article II Section 245-7(A) shall be amended to
include the following new subsection (16):

“(16)

No marijuana operating permit shall be issued and no
renewal of any marijuana operating permit shall be granted
unless the marijuana establishment delivers to the
Department of Health and Human Services a Certificate of
Good Standing and Tax Compliance from the Massachusetts
Department of Revenue dated within 30 days of the issuance
date of the marijuana operating permit and a letter from
the City Collector's Office certifying that the marijuana
establishment has paid all required taxes, fees, and excise
taxes to the City and the marijuana establishment does not
appear on any list of delinquent creditors maintained by
the Cannabis Control Commission, if any.”

Approved as to Form:

Associate City Solicitor

AMENDING CHAPTER 275 OF THE REVISED ORDINANCES OF THE CITY OF
SPRINGFIELD, 1986, AS AMENDED, BY INCLUDING A NEW ARTICLE V

Chapter 275 of the Revised Ordinances of the City of
Springfield, 1986, as amended, is hereby amended by including a
new Article V as follows:

"Chapter 275

Article V

PROHIBITING THE MANUFACTURE SALE AND DISTRIBUTION OF KRATOM

§ 275-17 Purpose.

The purpose of this ordinance is to set forth a regulatory
scheme for the City of Springfield to protect the health,
welfare, and safety of citizens of the City where the City
Council seeks to enact an ordinance regulating the manufacture,
sale, and distribution of Kratom.

§ 275-18 Definitions.

The following definitions are applicable to this Article V.

BUSINESS AGENT

An individual who has been designated by the owner or operator
of any business to manage or oversee the establishment.

COMPLIANCE CHECK

An enforcement activity where a person is sent into an
establishment to attempt to purchase a restricted or prohibited
product.

KRATOM LEAF

Means the leaf of the kratom plant, also known as *Mitragyna
speciosa*, in fresh, dehydrated, or dried form that undergoes no
postharvest processing other than drying or size reduction, by
cutting, milling, or similar procedure and to cleaning or
sterilization through application of heat, steam,
pressurization, irradiation, or other standard treatments
applied to food ingredients. The total alkaloid content of
kratom leaf material used in a kratom product shall not exceed
four percent (4%) on a dried weight basis.

KRATOM LEAF EXTRACT

Means the material obtained by extraction of kratom leaves with a solvent consisting of water, ethanol, or food grade carbon dioxide, or any other solvent authorized by regulation to be used in manufacturing a food ingredient and that meets all of the following requirements: a) that contains an amount of residual solvent not to exceed the amount specified in Chapter 467 of the United States Pharmacopeia and the National Formulary; b) that contains mitragynine as the most abundant alkaloid on a weight-by-weight basis and at a level that is more than twofold that of any other alkaloid present; and c) the ratio of mitragynine or other alkaloids is the same or greater than that of the starting material.

KRATOM PRODUCT

Means a product marketed for human consumption containing any part of the leaf of the plant *Mitragyna speciosa* and does not contain any synthesized kratom material.

LABEL

Means a display of any written, printed, or graphic matter upon the immediate container of a kratom product or a statement by or under the control of the kratom processor or distributor, which is directly related to the kratom product bearing the label.

MANUFACTURER

Means a person or business that produces, prepares, compounds, or processes kratom products. This includes any person or business packaging, repackaging, labeling, or relabeling of kratom products.

RETAILER

Means a person or business that sells or maintains kratom products or that advertises, represents or holds itself out as selling or maintaining kratom products.

SYNTHESIZED KRATOM MATERIAL

Means a) an alkaloid or alkaloid derivative that has been created by chemical synthesis or biosynthetic means (including but not limited to: fermentation, recombinant techniques, yeast derived, enzymatic techniques), rather than traditional food preparation techniques such as heating or extracting that synthetically alters the composition of any kratom alkaloid or constituent; or b) an alkaloid or alkaloid derivative contained in kratom that has been exposed to chemicals or processes that would confer a structural change in the alkaloids.

THIRD-PARTY LABORATORY

Means a laboratory that has no direct interest in a processor or distributor of kratom products that can perform mandated testing utilizing validated methods.

WHOLESALE OR DISTRIBUTOR

Means a person or business doing a regularly organized wholesale or distribution business, known to the trade as such, and selling kratom products to licensed retailers or wholesalers for resale in the regular course of business.

§ 275-19 Kratom Products.

A. No person, business entity, or corporate entity within the City of Springfield shall manufacture, distribute, sell, or offer for sale:

- (1) Synthesized kratom materials;
- (2) Kratom leaf extracts;
- (3) A kratom product that is adulterated with a dangerous substance other than kratom;
- (4) A kratom product that is adulterated with a substance that affects the quality or strength of the kratom product to a degree as to render the kratom product injurious to a consumer;
- (5) A kratom product that is combustible or intended to be used for vaporization, aerosolization, or injection;
- (6) A kratom product that is a conventional food or beverage or labeled as a conventional food or beverage;
- (7) A kratom product that includes any ingredient, substance, chemical, or compound that produces a distinguishable taste or aroma, other than the taste or aroma of kratom;
- (8) A kratom product not contained in child-resistant packaging that meets standards set forth in 16 C.F.R. 1700.15(b) when tested in accordance with 16 C.F.R. 1700.20; or
- (9) A kratom product that mimics a candy product or is manufactured, packaged, or advertised in a way that can be reasonably considered to appeal to individuals under twenty-one (21) years of age.

B. All kratom products sold or otherwise distributed in the City must be tested by a third-party laboratory to satisfy industry standards for adulteration and affixed with a

label verifying such testing and the information listed in subsection E below.

- C. A retailer, manufacturer, and/or wholesaler shall not distribute or sell a kratom product to an individual under twenty-one (21) years of age.
- D. Kratom products offered for sale must be placed behind the counter.
- E. All kratom products sold or otherwise distributed in the City shall be accompanied by a clear label that provides adequate information for safe and effective use by consumers that includes but is not limited to:
 - (1) A list of ingredients used in the manufacturing of the kratom product;
 - (2) The amount of mitragynine and 7-hydroxymitragynine contained in the kratom product;
 - (3) The recommended serving size of the kratom product;
 - (4) The number of servings that can be safely consumed in a twenty-four-hour (24) period;
 - (5) The number of servings per container of the kratom product;
 - (6) The name and principal street address of the manufacturer of the kratom product;
 - (7) A unique batch or lot number specifically linking each kratom product to a specific batch or lot manufactured by the kratom manufacturer;
 - (8) A recommendation to consult a healthcare professional prior to use;
 - (9) A statement that kratom is not safe for use while pregnant or breastfeeding;
 - (10) A statement that the kratom product should be stored safely and out of the reach of children;
 - (11) A statement that the sale or transfer of possession to another person under twenty-one (21) years of age is prohibited;
 - (12) A warning that the product may result in dangerous medication interactions; and
 - (13) A disclaimer that the kratom product is not intended to diagnose, treat, cure, or prevent any medical condition or disease.

If there is not sufficient room on the kratom product label, the kratom product shall display on the label a scannable bar code, QR code, or web address linked to a document containing the information required in this section.

§ 275-20 Penalties and Enforcement.

- A. Any person or entity charged with violating this ordinance shall receive a notice of violation from the Springfield Health and Human Services Department or its designated agent. Each instance of manufacture, distribution, sale or offer of sale in violation of this Article V shall be considered a separate violation subject to the penalties and enforcement provisions of this Article V.
- B. It shall be the responsibility of any establishment owner and/or the establishment owner's manager or business agent to ensure compliance with this ordinance. The owner or manager of any establishment in which Kratom is manufactured, distributed, sold, or offered for sale by any person in lawful control of the establishment shall be responsible for the violation, whether or not they authorized or were aware that the violation was taking place.
- C. In the case of a violation, the violator shall receive:
- (1) In the case of a first violation, a fine of three hundred dollars (\$300.00), and shall also include confiscation of all involved products by the City of Springfield through its Health and Human Services Department and/or its Police Department.
 - (2) In the case of a second violation within thirty-six (36) months of a previous violation, a fine of three hundred dollars (\$300.00), a suspension of any permit issued by the Health and Human Services Department, including but not limited to a Retail Tobacco Permit, for seven (7) consecutive business days, and shall also include confiscation of all involved products by the City of Springfield through its Health and Human Services Department and/or its Police Department.
 - (3) In the case of three or more violations within a thirty-six (36) month period, a fine of three hundred dollars (\$300.00), a suspension of any permit issued by the Health and Human Services Department, including but not limited to a Retail Tobacco Permit, for thirty (30) consecutive business days, and shall also include confiscation of all involved products by the City of Springfield through its Health and Human Services Department and/or its Police Department.

- D. In accordance with applicable law, the Health and Human Services Department may modify, suspend, or rescind any license or permit to conduct business issued by the Department of any person or entity who is found in violation of this ordinance by manufacturing, distributing, selling, or offering for sale Kratom or Kratom products on the premises that is the subject of the license or permit.
- E. The authority to inspect establishments for compliance and to enforce this ordinance shall be held by the Health and Human Services Department and its designee(s) and the Springfield Police Department.
- F. Any person may register a complaint pursuant to this ordinance to initiate an investigation and enforcement with the Health and Human Services Department or its designee(s).
- G. A person who receives notice of a violation of this ordinance can request a hearing before the Board of Health. This request must be made in writing and filed within seven (7) days after the date the violation was served or actually received.
- H. Upon accrual of four violations of this ordinance within a thirty-six (36) month period, or upon the commission of two (2) or more egregious violations of this ordinance within thirty-six (36) months as determined by the Board of Health, the Board may issue a notice of intent to revoke and shall hold a hearing in accordance with this ordinance, and after such hearing, may permanently revoke any permits held by the violator, including but not limited to any Retail Tobacco Permit.
- I. Before suspending or revoking any permit issued by the Health and Human Services Department, the Board of Health shall provide notice of the intent to suspend or revoke such permit, which notice shall contain the reasons therefore and shall establish a time and date for a hearing, to be held no earlier than seven (7) days from the date of the notice. The permit holder or their designee shall have the opportunity to be heard and shall be notified of the Board's decision and the reasons therefore in writing. If, after hearing, the Board finds that a violation of this ordinance occurred, the Council shall suspend or revoke the subject permit(s). For purposes of such suspensions or revocations, the Board shall make the

determination notwithstanding any separate criminal or noncriminal proceedings concerning the same offense. Upon suspension or revocation of a permit, all permitted products must be removed from the establishment. Failure to remove such products shall constitute a separate violation of this ordinance.

J. Each day a that violation exists shall be deemed to be a separate offense. Separate but simultaneous violations shall be treated as separate violations. Multiple suspensions of the same permit may not be served concurrently.

K. Failure to comply with the terms of a permit suspension imposed pursuant to this regulation may subject the permit holder to an additional suspension of all Health and Human Services Department-issued permits for thirty (30) consecutive business days.

§ 275-21 Severability.

If any paragraph or provision of this ordinance is found to be invalid or unenforceable, against public policy, or unconstitutional, it shall not affect the legality of any remaining paragraphs or provisions and shall continue in full force and effect."

Approved as to form

Associate City Solicitor

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

to amend an existing special permit (repair/sale), granted April 2017, by allowing a change in the petitioner, at the properties known as 927 Boston Road (01655-0591) (Book#21635/Page#347) and ES Phillips Avenue (09685-0043) (Book#21635/Page#347), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 12.1 and Section 12.3(4).

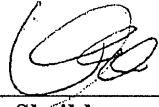
Mailing Address:

33 Rawson Hill Drive
Shrewsbury, MA 01545

Owner:

H&F Properties, Inc.

I hereby certify that I am the owner or acting on behalf of the owner.

BY: 

Usman Sheikh

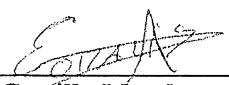
Mailing Address:

927 Boston Road
Springfield, MA 01119

Petitioner:

Eric Castillo Mendez

I hereby certify that I am the petitioner or acting on behalf of the petitioner.

BY: 

Eric Castillo Mendez

Sandra Powell
Collector/Treasurer (acting)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

October 14, 2025

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: 927 BOSTON RD – (01655-0591)

Petitioner: ERIC CASTILLO MENDEZ
927 BOSTON RD
SPRINGFIELD, MA 01119

Property Owner: H&F PROPERTIES INC
33 RAWSON HILL DR
SHREWSBURY MA 01545

A handwritten signature in cursive script that reads "Sandra Powell". The signature is written in dark ink and is positioned above a horizontal line.

Sandra Powell: Treasurer/Collector (acting)

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

**927 BOSTON ROAD (01655-0591) & ES PHILLIPS AVENUE (09685-0043)
AMEND EXISTING SPECIAL PERMIT (REPAIR/USE CAR SALES)**

General Information

Petitioner:	Eric Castillo Mendez
Request:	Amend an existing special permit (motor vehicle repair/used car sales), granted April 2017, by allowing a change in the petitioner.
Proposed use of the property:	Motor vehicle repair/used car sales.
Parcel Size:	22,039 s.f.
Compatibility with current planning documents:	The Boston Road Neighborhood Plan does not show any changes to this area.
Neighborhood council notification:	Pine Point Community Council: 11-24-25
Tax Status:	SEE ATTACHED
Site Visit:	12-3-25
Hearing Date:	12-8-25

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business B and is located along the Boston Road commercial corridor. This area has a mix of both commercial and residential uses.

- To the north are a small office use and a U-Haul rental operation zoned Business B and Business A.
- To the south are single-family homes zoned Residence A.
- To the east is a commercial building zoned Business A and Commercial P.
- To the west is an auto parts store zoned Business A.

Site plan review:

The petitioner has requested to amend an existing special permit (auto repairs/used car sales), granted April 2017, by allowing a change in the petitioner, at the properties known as 927 Boston Road and ES Phillips Avenue.

In reviewing the proposed request and visiting the site, the staff does not object to the proposed request. This site has been used for automotive related uses for several years. As noted with the previous special permit, the only concern that the staff does have is that this site does directly abut a residential home. As such, if approved, the staff would recommend that the existing conditions, placed on the 2017 special permit, remain

in place. This includes the number or vehicles allowed to be sold at this location as well as the hours of operation.



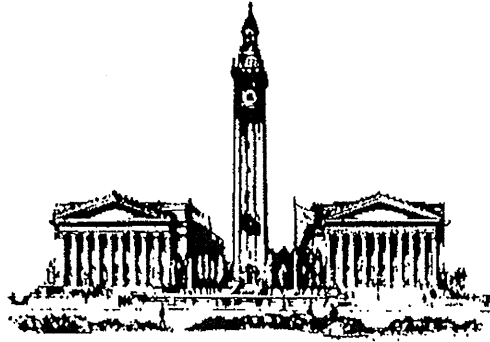
Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted for a motor vehicle repair facility and used car sales at the property known as 927 Boston Road (01655-0591) and ES Phillips Avenue (09685-0043).
3. The use shall be developed according to the attached site plan with the addition of conditions #4 and #5.
4. All conditions placed on the April 19, 2017 special permit shall remain in effect.
5. The City Council shall have the authority to modify, amend, review or revoke its approval of a special permit upon written application of the owner, lessee or Zoning Administrator; provided, however, that such action is consistent with the purpose and intent of the Springfield Zoning Ordinance and a public hearing is held.
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.

Sandra Powell
Collector/Treasurer (acting)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

October 14, 2025

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: 927 BOSTON RD – (01655-0591)

Petitioner: ERIC CASTILLO MENDEZ
927 BOSTON RD
SPRINGFIELD, MA 01119

Property Owner: H&F PROPERTIES INC
33 RAWSON HILL DR
SHREWSBURY MA 01545

Sandra Powell: Treasurer/Collector (acting)

**DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS**

TO:

DATE: April 19, 2017

DEPARTMENT:

FROM: Anthony I Wilson, Esq.

COPIES TO:

DEPARTMENT: City Clerk

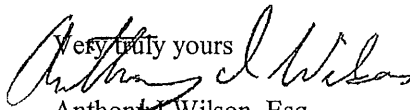
SUBJECT: 927 Boston Rd etc

This is to inform you that at a meeting of the City Council held on Monday, March 27, 2017, it was voted by the City Council according to law to grant a special permit to Owner: Gina Daniele and Petitioner: Usman Sheikh for motor vehicle repair and maintenance and used car sales at the property known as **927 Boston Road** (01655-0591) as allowed by M.G.L and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1 with the following conditions:

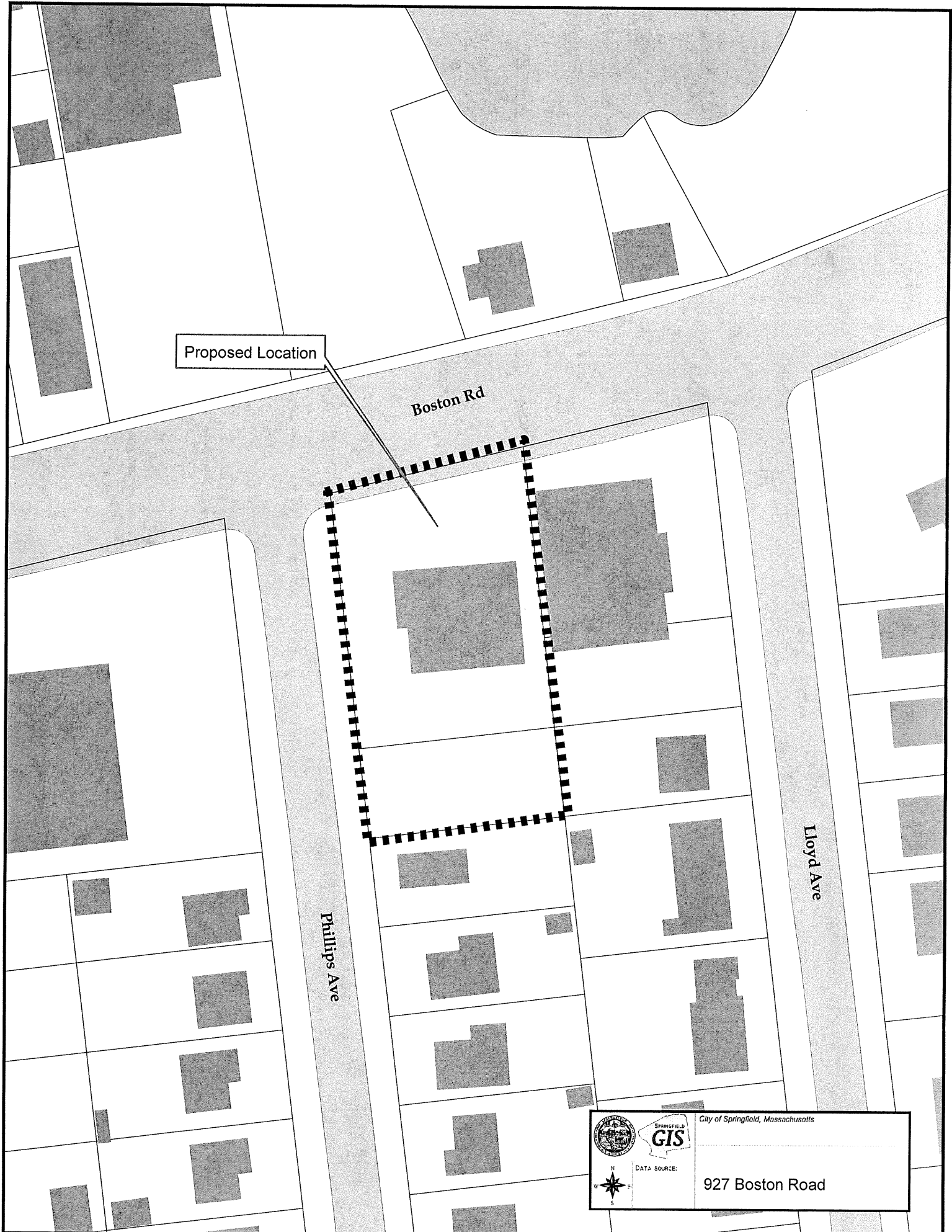
1. This special permit is granted to this petitioner only.
2. This special permit is granted for a motor vehicle repair facility and used car sales at the property know as 927 Boston Road (016555-0591) and ES Phillips Avenue (09685-0043)
3. The use shall be developed according to the attached site plan with the addition of conditions #4 through #14.
4. There shall be no more than thirty (30) used cars stored or displayed on site at any one time
5. The area where the former wall sign has been located shall be painted
6. There shall be no storage of automotive parts outside the building.
7. There shall be no storage of junk vehicles on the site.
8. There shall be no autobody work completed at this location.
9. There shall be no work completed to any vehicle outside the building.
10. Any and all dumpsters shall be completely enclosed.
11. The building shall be maintained free of all graffiti.
12. All landscaped areas shall be maintained free of all weeds and debris.
13. The hours of operation shall be between the hours of 7:00AM and 9:00PM
14. There shall be no banners, streamers or non-accessory signs located on the property
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.

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.

This permit becomes effective on April 19, 2017

Very truly yours

Anthony I Wilson, Esq.
City Clerk

AIW/laf



Proposed Location

Boston Rd

Phillips Ave

Lloyd Ave

 		City of Springfield, Massachusetts
	DATA SOURCE:	927 Boston Road

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

to change the zoning of a portion of the property known as 390-392 Allen Street (00280-0096)
from Residence A to Residence C.

Mailing Address:

390 Allen Street
Springfield, MA 01118

Owner & Petitioner:

390 Allen Street Realty, LLC

I hereby certify that I am the owner and
petitioner or acting on behalf of the owner and
petitioner.

BY: _____

Joseph Sullivan



**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE**

**#3256 390-392 ALLEN STREET (00280-0096)
RESIDENCE A TO RESIDENCE C**

GENERAL INFORMATION

Applicant: 390 Allen Street Realty, LLC

Request: Residence A to Residence C

Location: 390-392 Allen Street

Parcel Size: 14,630 s.f.

Purpose: Multi-family development

Surrounding Land Use and Zoning: The property is located in the East Forest Park neighborhood. This area has a mix of commercial and residential uses. The surrounding uses include:

To the north are single-family homes zoned Residence A.
To the south are the former rail road tracks and single-family homes zoned Residence B.
To the east are single-family homes zoned Residence A.
To the west is small commercial plaza zoned Business A.

**Comprehensive/
Neighborhood Plan:** The East Forest Park Neighborhood Plan shows no changes to this area.

Site Visit: 10-21-25

Urban Renewal Plan: This parcel is located not within an urban renewal plan.

**Neighborhood Council
Notification:** East Forest Park Civic Association: 10-21-25

Planning Board Hearing Date: 11-5-25

SPECIAL INFORMATION

Traffic & Parking: N/A

Physical Characteristics: N/A

Other Notes: N/A

ANALYSIS

The petitioner has requested to change the zoning of a portion of the property known as 390-392 Allen Street from Residence A to Residence C. This site is currently the location of a mixed-use building (housing and Allen Street Package Store) and associated parking lot. The petitioner intends to construct a multi-family development on the property.

As noted above, the property is currently split zoned between Business A and Residence A. The existing mixed-use building is zone Business A and the existing parking lot area is zoned Residence A. The proposed plan is to convert the existing mixed-use building into four (4) housing units. The commercial use would be discontinued. In addition, the petitioner intends to construct an additional six (6), townhouse style units within the parking lot area. While Business A allows for multi-family housing, the parking area, which is zoned Residence A, will need to be re-zoned to Residence C to allow for the proposed development.

It is important to note that while site plans are requested when petitioning for a zone change, unlike a special permit, the submitted site plans are not attached as a condition of the approval. In this case, the petitioner has submitted a very conceptual plan outlining the proposed development. If the zone change is approved, the developer will also be required to obtain a special permit from the City Council. At that time, final detailed plans will need to be submitted showing the full development. This will include elevations of the proposed housing units. In addition, a number of variances are also going to be needed before this development can move forward.



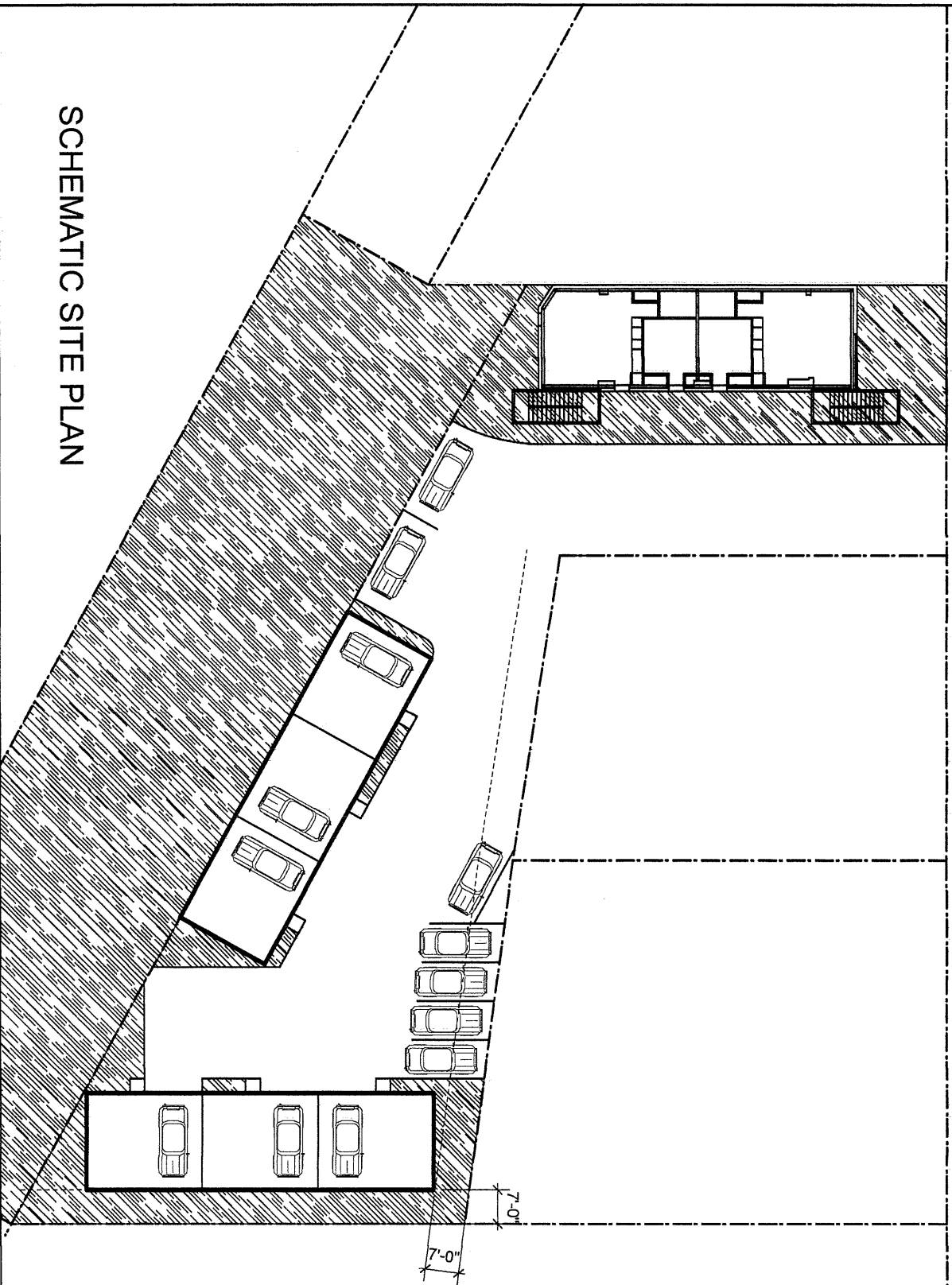
After reviewing the overall land uses for this area and the plans submitted, the staff does not object to the proposed request. While there is no Residence C within this immediate area, the staff does believe that with the additional development controls needed to move forward with this proposed development (special permit, variances, etc.), sufficient additional approvals will be in place to ensure the proposed development is completed with limited impacts to the abutting properties. Again, while a zone change cannot be conditionally approved, due to the layout of this property, development of this property is limited without these additional reviews and approvals. Lastly it is also the staff's understanding that the neighborhood is in favor of the proposed development.

RECOMMENDATION

Approve.

ALLEN STREET

SCHEMATIC SITE PLAN



PAGE

A-1

TITLE SITE PLAN

SCALE 1" = 20'-0"

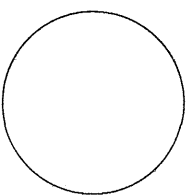
DATE 9/1/25

REV.1

REV.2

REV.3

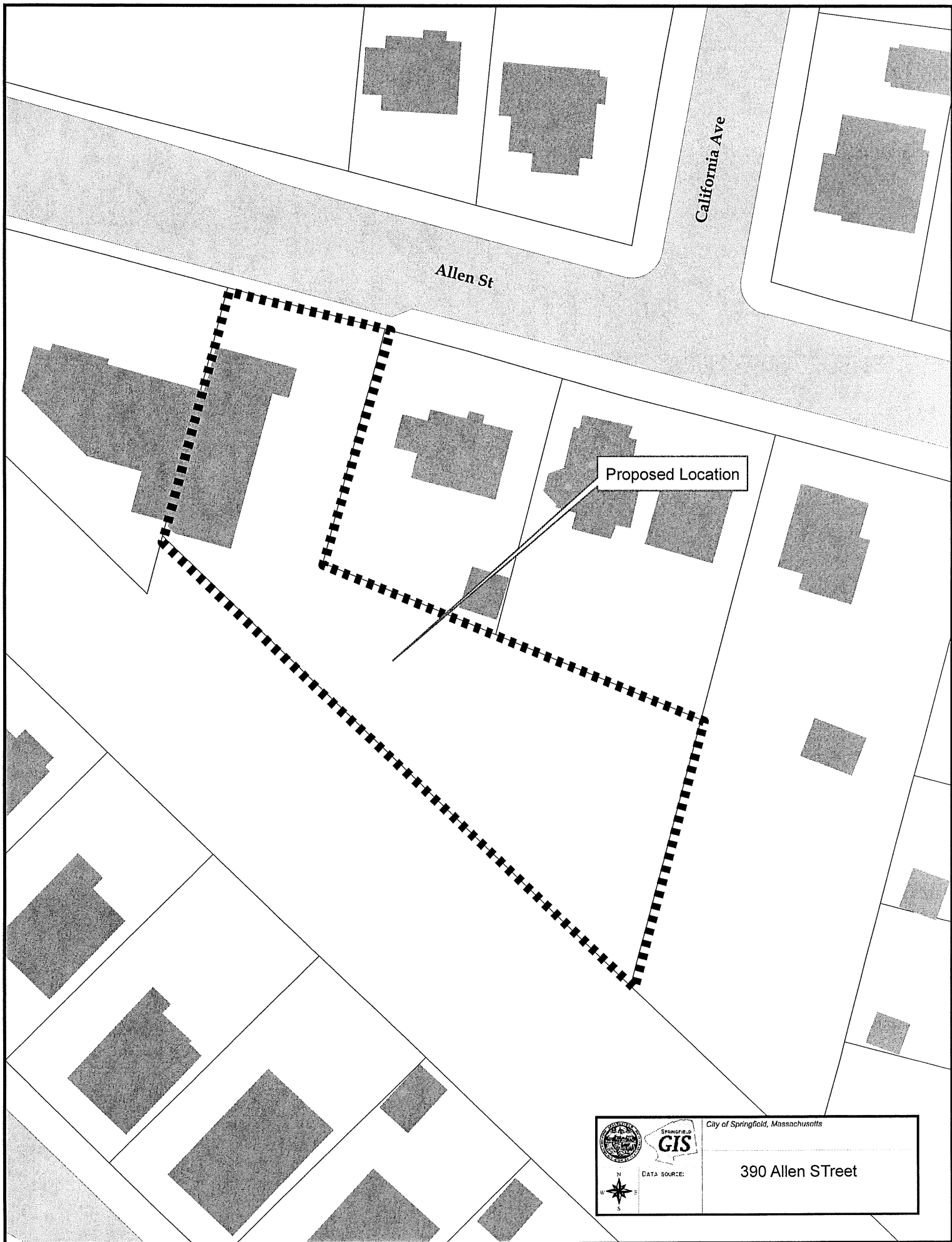
REV.4



APARTMENTS AT
390-392 ALLEN ST.
SPRINGFIELD, MA

HERVIEUX
DESIGN

ARCHITECTURE - INTERIORS - EXHIBITS - EVENTS
116 ARCADIA BLVD., SPRINGFIELD, MASSACHUSETTS 01118
413-781-3010 hervieuxdesign@gmail.com 413-222-3588



City of Springfield, Massachusetts



DATA SOURCE:

390 Allen S Treet



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

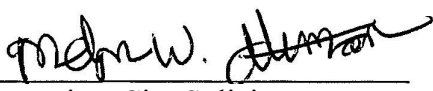
AN ORDINANCE

AMENDING SECTION 40 OF THE BUILDING ZONE MAP

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

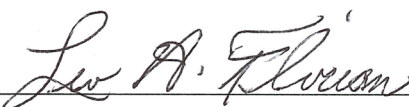
SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence A to Residence C** the zoning on **Plot #3256, Section 40** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 40 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 November 5, 2025 regarding the above Ordinance amendment.

4 Person(s) appeared in favor, and 2 Person(s) appeared in opposition.


Leo Florian, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

AN ORDINANCE

AMENDING SECTION 40 BUILDING ZONE 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, as amended, is hereby further amended by changing from **Residence A to Residence C** the zoning on **Plot #3256, Section 40** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 40 Building Zone Map of the City of Springfield.**”

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3256
SECTION: 40

DATE: November 6, 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: 390 Allen Street Realty, LLC

ADDRESS: 390-392 Allen Street (00280-0096)

CHANGE REQUESTED: Proposed zone change from Residence A to Residence C

PETITIONER'S PURPOSE STATEMENT: Multi-family development

DATE OF PUBLIC HEARING: November 5, 2025

DATE OF FINAL DECISION: November 5, 2025

BOARD MEMBERS PRESENT and COUNT: five (5): Mr. Cunningham, Mr. Florian, Ms. Morin, Ms. Ford and Ms. McQuade

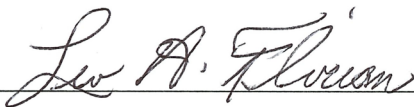
FINAL MOTION: APPROVE

IN FAVOR: five (5): Mr. Cunningham, Mr. Florian, Ms. Morin, Ms. Ford and Ms. McQuade.

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE



Leo Florian, Chairperson

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

to change the zoning of the properties known as SS Boston Road (01655-0687 & 0685) and Rear Boston Road (01655-0686) from Residence A to Business A.

Mailing Address:

475 Boston Road
Springfield, MA 01109

Owner & Petitioner:

Pinkal & Hiral, LLC

I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

BY: _____

Mayurkumar Patel

BY: _____

Yogeshbhai Patel

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE**

**SS BOSTON ROAD (01655-0687 & 0685)
RESIDENCE A TO BUSINESS A**

GENERAL INFORMATION

Applicant:	Pinkal & Hiral, LLC.
Request:	Residence A to Business A
Location:	SS Boston Road (01655-0687 & 0685)
Parcel Size:	9,739 s.f.
Purpose:	Commercial parking
Surrounding Land Use and Zoning:	The property is located in the Pine Point Neighborhood and is located along the commercial corridor of Boston Road. The surrounding land uses include: To the north is used car dealership zoned Business A. To the south is a single-family housed zoned Residence A. To the east is a single-family house zoned Residence A. To the west is a commercial plaza zoned Business A.
Comprehensive/ Neighborhood Plan:	The Pine Point Neighborhood Plan shows no changes to this area.
Site Visit:	10-21-25
Neighborhood Council Notification:	Pine Point Community Council: 10-21-25
Planning Board Hearing Date:	11-5-25

SPECIAL INFORMATION

Traffic & Parking:	The proposed use will be a nineteen (19) space parking lot.
Physical Characteristics:	N/A
Other Notes:	N/A

ANALYSIS

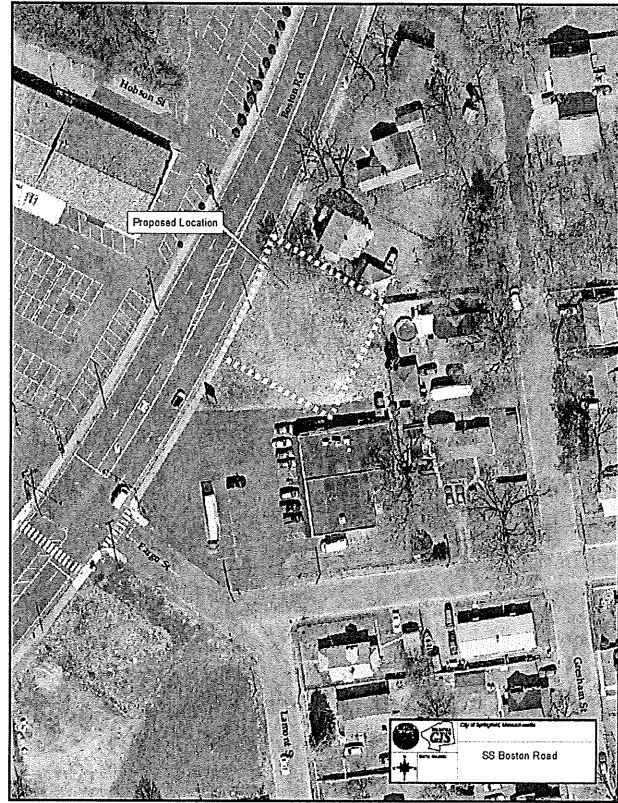
The petitioner has requested to change the zoning of the properties known as SS Boston Road from Residence A to Business A. The property is currently split zoned with a portion zoned Business A and a portion zoned Residence A. The property is currently vacant and in common ownership with the adjacent commercial use.

As noted above, the property being proposed to be rezoned is adjacent to an existing small commercial plaza located at the corner of Boston Road and Fargo Street. The petitioner has indicated that the reason for the proposed change to Business A would be to allow them to expand the parking area. In addition, the site plan

submitted also shows four spaces being dedicated for food trucks.

After reviewing the submitted plans and visiting the site, while the staff does not object to the proposed request for additional commercial parking, the staff does have some concerns with regards to the proposed food truck operation.

As noted above, this site directly abuts a number of single-family homes and the staff has heard from an abutter that the food trucks do impact their property. Specifically, the noise generated from this trucks themselves is causing the issues. These trucks use generators to power the trucks when parked and this generator noise has impacted the abutters. While the plans submitted show that fencing and landscaping will be installed, as per the zoning regulations, the plans also show that the food truck parking will be located up against the side and rear of the property. This is also where the residential uses are located. While zone changes cannot be conditioned, the staff would recommend that the owner consider moving the food trucks closer to Boston Road and further away from the residential abutters. This would allow for the expanded parking while also protecting the abutting residential uses.



In addition, the area proposed for this expansion is currently grassed. In order to use this area for commercial parking, it must be paved. As with all new paving, a full review and approval will be needed from the Department of Public Works (DPW), prior to any work being completed.

Lastly, as noted above, a seven (7) foot landscape buffer will be installed along the property lines which abut the residentially zoned property. In addition to this buffer, a three (3) foot landscape buffer will also be required to be installed along the public sidewalk of Boston Road.

RECOMMENDATION

Approve.

Phone: (413) 583-4377
Fax: (413) 583-4486
104 Moody St.
Ludlow, MA 01056

LOTS 7 & 8
PID: 016550687, 016550685
SPRINGFIELD, MA



PINKAL & HIRAL LLC

475 BOSTON RD
SPRINGFIELD, MA

PLAN DATE:	10/10/25
REVISIONS:	DATE:

UNAUTHORIZED ALTERATION OF THIS DOCUMENT IS A VIOLATION OF MASSACHUSETTS STATE COPY RIGHT LAW

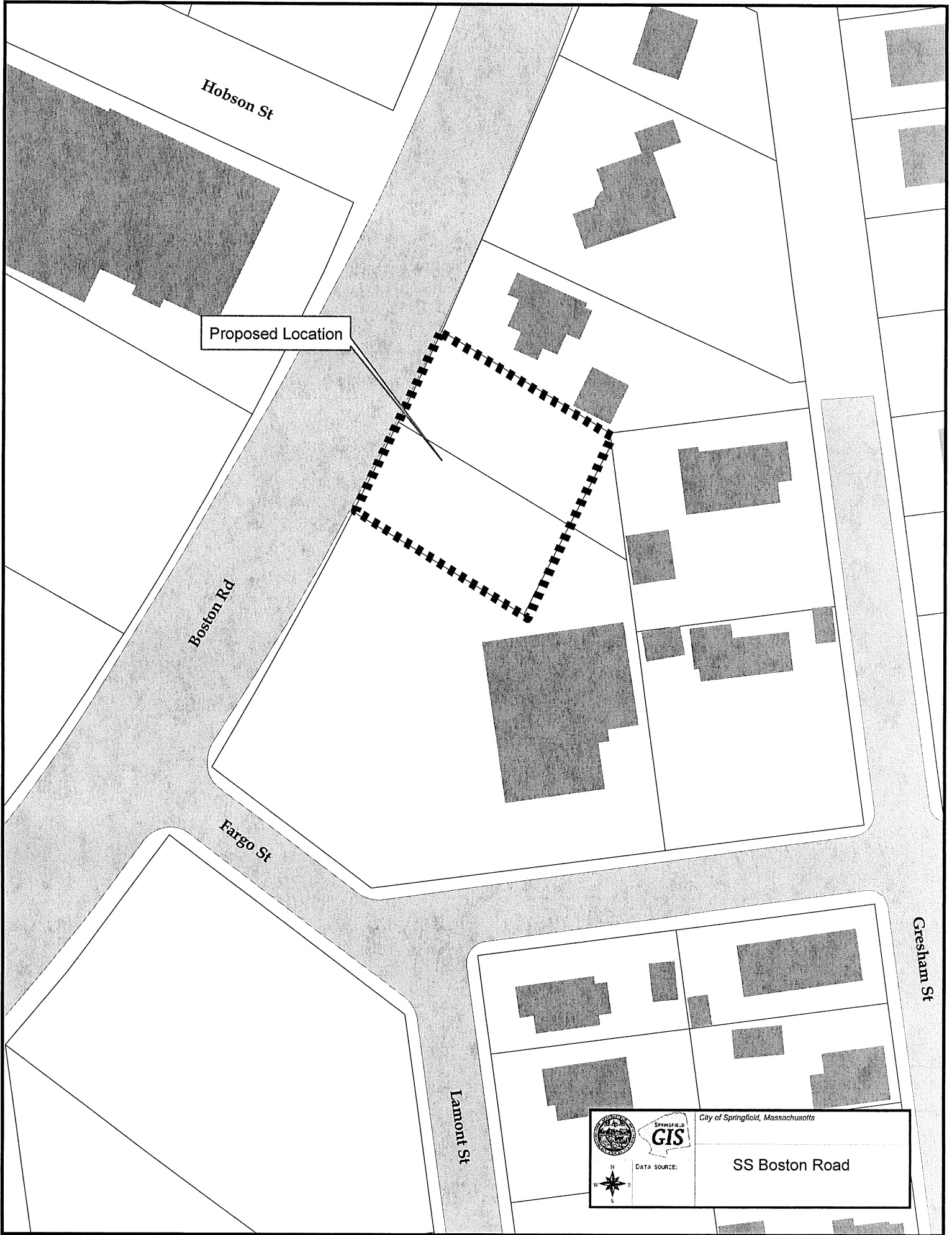
Project Number: 1092	
DRAWING #	REV.

Q1

[illegible]

PRELIMINARY
10/10/25

NOTES
1. PROPERTY LINES TAKEN FROM SPRINGFIELD GIS, RETRIEVED 10/10/25



Hobson St

Proposed Location

Boston Rd

Fargo St

Lanmont St

Gresham St



SPRINGFIELD
GIS

City of Springfield, Massachusetts



DATA SOURCE:

SS Boston Road



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

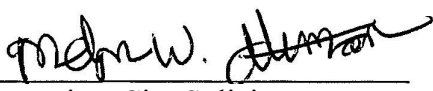
AN ORDINANCE

AMENDING SECTION 19 OF THE BUILDING ZONE MAP

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

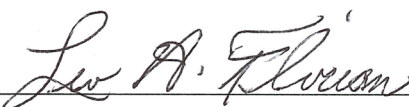
SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence A to Business A** the zoning on **Plot #3257, Section 19** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 19 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 November 5, 2025 regarding the above Ordinance amendment.

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


Leo Florian, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

AN ORDINANCE

AMENDING SECTION 19 BUILDING ZONE 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, as amended, is hereby further amended by changing from **Residence A to Business A** the zoning on **Plot #3257, Section 19** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 19 Building Zone Map of the City of Springfield.**”

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3257
SECTION: 19

DATE: November 6, 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: Pinkal & Hiral, LLC

ADDRESS: SS Boston Road (01655-0687/0685)

CHANGE REQUESTED: Proposed zone change from Residence A to Business A

PETITIONER'S PURPOSE STATEMENT: Expansion of commercial parking

DATE OF PUBLIC HEARING: November 5, 2025

DATE OF FINAL DECISION: November 5, 2025

BOARD MEMBERS PRESENT and COUNT: five (5): Mr. Cunningham, Mr. Florian, Ms. Morin, Ms. Ford and Ms. McQuade

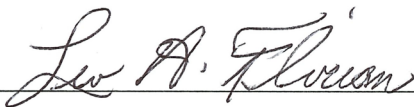
FINAL MOTION: APPROVE

IN FAVOR: five (5): Mr. Cunningham, Mr. Florian, Ms. Morin, Ms. Ford and Ms. McQuade.

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE



Leo Florian, Chairperson

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 4, Table 4-4 (Use Table), Section 13.4(1) and (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary), amending Article 4, Section 4.7.114(A)(2) (Adult Use Marijuana Establishments/Use Requirements) and amending Article 4, Section 4.7.100 (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) by including a new Section 4.7.105, as set forth in the proposed amendment attached hereto:

SEE ATTACHED DOCUMENT(S)

Mailing Address:

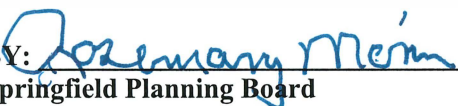
36 Court Street
Springfield, MA 01103

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

PROPOSED AMENDMENTS:

- 1) ARTICLE 4, TABLE 4-4 USE 13.4(1) & (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) shall be amended as follows:**

Current language:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100

Proposed language:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	3	3	N	3	3	3	3	3	3	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	3	3	N	3	3	3	3	3	3	4.7.100

- 2). ARTICLE 4, Section 4.7.114(A)(2) shall be amended as follows:**

Current language:

2. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the ADULT USE MARIJUANA ESTABLISHMENT is or will be located. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

Proposed language:

3. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. The distance shall be measured in accordance with 935 CMR 500.110(3), using a straight line from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance, unless there is an impassable barrier within those five hundred (500) feet; in these cases, the distance shall be measured along the center of the shortest publicly accessible pedestrian travel path from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

3.) ARTICLE 4, SECTION 4.7.100 shall be amended to include a new Section 4.7.105, as follows:

4.7.105 ADULT USE MARIJUANA ESTABLISHMENT CO-LOCATION

Where an RMD/OMMD is co-located with an ADULT USE MARIJUANA ESTABLISHMENT with a marijuana operating permit issued pursuant to Section 245 of the General Ordinances of the City of Springfield, as amended, and with an approved Tier 3 Special Permit, the use requirements of Article 4, Section 4.7.110 of these Zoning Ordinances will govern and only a Tier 1 Administrative Site Plan Review shall be required for the RMD/OMMD use.

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A ZONE CHANGE**

**AMEND ARTICLE 4, TABLE 4-4 (USE TABLE), SECTION 13.4(1) AND (2)
(REGISTERED MARIJUANA DISPENSARY AND OFF-SITE REGISTERED MEDICAL
MARIJUANA DISPENSARY), AMENDING ARTICLE 4, SECTION 4.7.114(A)(2)
(ADULT USE MARIJUANA ESTABLISHMENTS/USE REQUIREMENTS) AND
AMENDING ARTICLE 4, SECTION 4.7.100 (REGISTERED MARIJUANA
DISPENSARY AND OFF-SITE REGISTERED MEDICAL MARIJUANA DISPENSARY)
BY INCLUDING A NEW SECTION 4.7.105**

GENERAL INFORMATION

Petitioner:	Springfield Planning Board
Request:	Amend Article 4, Table 4-4 (Use Table), Section 13.4(1) and (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary), amending Article 4, Section 4.7.114(A)(2) (Adult Use Marijuana Establishments/Use Requirements) and amending Article 4, Section 4.7.100 (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) by including a new Section 4.7.105
Location:	City Wide
Parcel Size:	N/A
Purpose:	Updates to the Springfield Zoning Ordinance.
Surrounding Land Use and Zoning:	N/A
Comprehensive/ Neighborhood Plan:	N/A
Planning Board Hearing:	12-3-25

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 and the Springfield Law Department has petitioned to amend Article 4 of the Springfield Zoning Ordinance. The proposed amendments center around Registered Marijuana Dispensaries and Adult Use Marijuana Establishments.

The specific proposed changes are as follows:

- **Amend Article 4, Table 4-4 (Use Table), Section 13.4(1) and (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary)**

Current Use Table:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100

Proposed Use Table:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	<u>3</u>	<u>3</u>	N	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	3	<u>3</u>	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	<u>3</u>	<u>3</u>	N	<u>3</u>	<u>3</u>	<u>3</u>	<u>3</u>	3	<u>3</u>	4.7.100

- **Amend Article 4, Section 4.7.114(A)(2) (Adult Use Marijuana Establishments/Use Requirements)**

Current language:

2. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the ADULT USE MARIJUANA ESTABLISHMENT is or will be located. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

Proposed language:

2. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. The distance shall be measured in accordance with 935 CMR 500.110(3), using a straight line from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance, unless there is an impassable barrier within those five hundred (500) feet; in these cases, the distance shall be measured along the center of the shortest publicly accessible pedestrian travel path from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.
- **Amend Article 4, Section 4.7.100 (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) by including a new Section 4.7.105**

Proposed language:

4.7.105 ADULT USE MARIJUANA ESTABLISHMENT CO-LOCATION

Where an RMD/OMMD is co-located with an ADULT USE MARIJUANA ESTABLISHMENT with a marijuana operating permit issued pursuant to Section 245 of the General Ordinances of the City of Springfield, as amended, and with an approved Tier 3 Special Permit, the use requirements of Article 4, Section 4.7.110 of these Zoning Ordinances will govern and only a Tier 1 Administrative Site Plan Review shall be required for the RMD/OMMD use.

Summary:

As the Council is aware, the city implemented the current Medical Marijuana ordinance back in 2014. At that time, there were a number of more restrictive guidelines put in place for this new use, which also echoed the underlying state laws. These restrictions included needing to be five hundred (500) feet away from a number of uses such as public or private schools. This limitation included elementary schools, high schools' colleges/universities and child care facilities. They also needed to be five hundred (500) feet away from a residence, a building containing residences and a residential zoning district. Further, under the current zoning, these uses could only be located within Industrial A zones.

Part of the proposed revisions being presented are to address the limited locations where Medical Marijuana uses can currently be located. The proposal to amend the existing Use Table will change the Medical Marijuana uses from only being allowed in Industrial A districts to now being allowed within Business A, Business B, Business D, Riverfront District, Industrial A and Industrial Park. New, Medical Marijuana establishments, not being co-located within an existing Adult Use Marijuana Establishment, would still require a special permit from the City Council.

The second proposed change is at the request of the Law Department and impacts Adult Use Marijuana Establishments. When the Adult Use marijuana law was first passed, the distance measured from the Adult Marijuana Use to school was measured from property line to property line. The state has now amended those regulations and changed the way this is measured. The distance is now measured "*...using a straight line from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance, unless there is an impassable barrier within those five hundred (500) feet; in these cases, the distance shall be measured along the center of the shortest publicly accessible pedestrian travel path from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance.*"

Lastly, at the request of a number of Adult Use Marijuana operators, a request has been made to amend the zoning ordinance to allow an existing operating, fully permitted, Adult Use Marijuana Establishment to also be allowed also operate a Medical Marijuana Use, at the same location. As noted above, the existing Medical Marijuana regulations would not allow a co-location as most, if not all, of the existing Adult Use Marijuana Establishments are outside of an Industrial A District. Most are also to close to a number of the uses listed as needing to be more than five hundred (500) feet away from. As such, the proposal being presented is to allow the co-location of a Medical Marijuana use within a fully permitted Adult Use Marijuana Establishment. In those cases, the requirements outlined in the Adult Use Marijuana Establishment regulations (Article 4, Section 4.7.100) would govern and only an Administrative Site Plan Review would be required rather than a special permit.

After having an opportunity to understand and review the daily operations of both the Medical Marijuana and Adult Use Marijuana facilities, the staff does not oppose the proposed requests. These proposed changes will bring the Medical Marijuana regulations into more conformity with the existing Adult Use Marijuana regulations while also allowing existing Adult Use operations to co-locate a Medical Marijuana use within the same building.

After a full review of the proposed language, the staff supports the proposed amendments. It should be noted that the staff has also worked directly with the Springfield Law Department and the proposed changes have been fully reviewed and approved. Overall, the staff feels that the proposed amendments would allow for additional opportunities for this relatively new use while also still providing protections for the surrounding land uses.

RECOMMENDATION

Approve.

PROPOSED AMENDMENTS:

1) ARTICLE 4, TABLE 4-4 USE 13.4(1) & (2) (Registered Marijuana Dispensary and Off-Site Registered Medical Marijuana Dispensary) shall be amended as follows:

Current language:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	3	N	4.7.100

Proposed language:

Table 4-4 Use Table																		
Use	Residential Districts				Commercial and Business Districts										Industrial Districts			Additional Regulations
	OS	Res A/A1	Res B/B1	Res C-1	Res C/C2	Office A	Com P	Com A	Bus A	Bus B	Bus B1	Bus C	Bus D	RF	MUI	IA	IP	
13.4 Medical Marijuana																		
1. Registered Marijuana	N	N	N	N	N	N	N	N	3	3	N	3	3	3	3	3	3	4.7.100
2. Off-Site Registered Medical Marijuana Dispensary (OMMD)	N	N	N	N	N	N	N	N	3	3	N	3	3	3	3	3	3	4.7.100

2). ARTICLE 4, Section 4.7.114(A)(2) shall be amended as follows:

Current language:

2. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. Distance shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the ADULT USE MARIJUANA ESTABLISHMENT is or will be located. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

Proposed language:

3. No ADULT USE MARIJUANA ESTABLISHMENT shall be located within five hundred (500) feet of a pre-existing public or private school providing education in kindergarten or any of grades one (1) through twelve (12), in operation at the time of application for a special permit. The distance shall be measured in accordance with 935 CMR 500.110(3), using a straight line from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance, unless there is an impassable barrier within those five hundred (500) feet; in these cases, the distance shall be measured along the center of the shortest publicly accessible pedestrian travel path from the geographic center of the ADULT USE MARIJUANA ESTABLISHMENT entrance to the geographic center of the nearest school entrance. In any case where the measurement is determined to be in question, the City Council may require verification of distances by a Registered Land Surveyor.

3.) ARTICLE 4, SECTION 4.4.100 shall be amended to include a new Section 4.7.105, as follows:

4.7.105 ADULT USE MARIJUANA ESTABLISHMENT CO-LOCATION

Where an RMD/OMMD is co-located with an ADULT USE MARIJUANA ESTABLISHMENT with a marijuana operating permit issued pursuant to Section 245 of the General Ordinances of the City of Springfield, as amended, and with an approved Tier 3 Special Permit, the use requirements of Article 4, Section 4.7.110 of these Zoning Ordinances will govern and only a Tier 1 Administrative Site Plan Review shall be required for the RMD/OMMD use.



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-FIVE

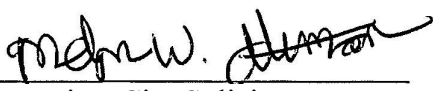
AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING MAP

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

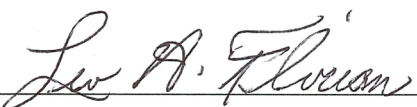
SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, May 28, 2013, as amended, is hereby further amended by **amending Article 4, Table 4-4, Section 13.4(1) and (2), amending Article 4, Section 4.7.114(A)(2) and amending Article 4, Section 4.7.100 by including a new Section 4.7.105. “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 December 3, 2025 regarding the above Ordinance amendment.

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


Leo Florian, 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, as amended, is hereby further amended by **amending Article 4, Table 4-4, Section 13.4(1) and (2), amending Article 4, Section 4.7.114(A)(2) and amending Article 4, Section 4.7.100 by including a new Section 4.7.105. “The entire City Building Zone Map of the City of Springfield.”**

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3258
SECTION: City-Wide

DATE: December 4, 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: City-Wide

CHANGE REQUESTED: Amending Article 4, Table 4-4, Section 13.4(1) and (2), amending Article 4, Section 4.7.114(A)(2) and amending Article 4, Section 4.7.100 by including a new Section 4.7.105.

PETITIONER'S PURPOSE STATEMENT: Bring into conformity the existing Adult Use Marijuana regulations with recent changes to state law as well as bringing into more conformity the Medical Marijuana regulations with the existing Adult Use Marijuana zoning regulations.

DATE OF PUBLIC HEARING: December 3, 2025

DATE OF FINAL DECISION: December 3, 2025

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

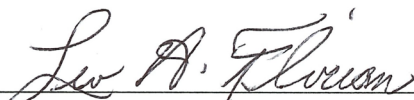
FINAL MOTION: APPROVE

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

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE



Leo Florian, Chairperson