



CITY OF SPRINGFIELD

City Clerk's Office May 23, 2012

Hearings Meeting Agenda~

I hereby notify you that at twelve o'clock noon today the following items of business had been filed with this office and can be acted upon at the meeting in City Council Chambers, Room 200 at City Hall, 36 Court Street **Tuesday evening May 29, 2012** at 07:00 PM according to Section 12, Rules and Orders of the City Council.

City Clerk

Hearings

7:00 PM Meeting called to order on May 29, 2012 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Petitions

- (1.) For a Special Permit to Reopen a Pre-Existing, Non-Conforming Use (Residential Use with 4 or More Units) at the Property Known as 191 Oakland Street (09210-0128) Under Non-Use, as Allowed by M.G.L. and the Springfield Zoning Ordinance Article XV, Section 1500.4A.

Request:	See Above
Owner:	R.M. Blerman, L.L.C.
By:	Mike Werman, Esquire
Petitioner:	Reynolds & Werman, L.L.C.
By:	Mike Werman, Esquire

ATTACHMENTS:

- Oakland_St_191_Tax_Formal_2012 (PDF)

Zone Changes

- (1.) To Change the Zoning of a Portion of the Property Known as 22 Saint George Road (11165-0001) from Residence C to Industrial A. 22 St George Road Not Recommend Residence B to Business A

PETITIONER:	Thomas D. Murphy, Esquire
ADDRESS:	22 St George Road
CHANGE REQUESTED:	Res C to Ind A

ATTACHMENTS:

- 3137_22_St_George_Rd_CC (PDF)

- (2.) To Amend the City of Springfield Zoning Ordinance by Deleting Article XVIII, Section 1801.5 and Replacing it with a New Article XVIII-A, Non-Accessory (Billboard) Sign Regulations Article XVIII-A Non-Accessory Sign Regulations Recommend Residence B to Business A

PETITIONER: City Council

ADDRESS: City Wide

CHANGE REQUESTED: Article XVIII-A Non-Accessory Sign Regulations

ATTACHMENTS:

- 3138_Non_Accessory_Signs_CC (PDF)

Petroleum Storage Petitions

(1.) 77 West Street Keep and Store
ATTACHMENTS:

- 77 WEST ST (PDF)

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 1622)**

Meeting: 05/29/12 07:00 PM
Department: Planning and Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 1622

For a Special Permit to Reopen a Pre-Existing, Non-Conforming Use (Residential Use with 4 or More Units) at the Property Known as 191 Oakland Street (09210-0128) Under Non-Use, as Allowed by M.G.L. and the Springfield Zoning Ordinance Article XV, Section 1500.4A.

Request:	See Above
Owner:	R.M. Blerman, L.L.C.
By:	Mike Werman, Esquire
Petitioner:	Reynolds & Werman, L.L.C.
By:	Mike Werman, Esquire

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

for a special permit to reopen a pre-existing, non-conforming use (residential use with 4 or more units) at the property known as 191 Oakland Street (09210-0128) under Non-Use, as allowed by M.G.L. and the Springfield Zoning Ordinance Article XV, Section 1500.4A.

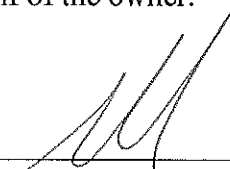
Mailing Address:

16 South Boulevard
 West Springfield, MA 01089

Owner:

R.M. Blerman, LLC.

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

By: 
 Mike Werman, Esquire

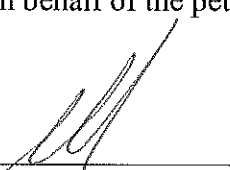
Mailing Address:

16 South Boulevard
 West Springfield, MA 01089

Petitioner:

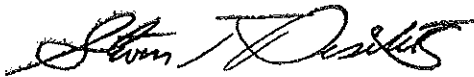
Reynolds & Werman, LLC.

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

By: 
 Mike Werman, Esquire

IN VIOLATION
 OF ZONING ORDINANCE
 until approved by the City Council
 on accordance with the provisions of
 of the Zoning Ordinance

BUILDING COMMISSIONER

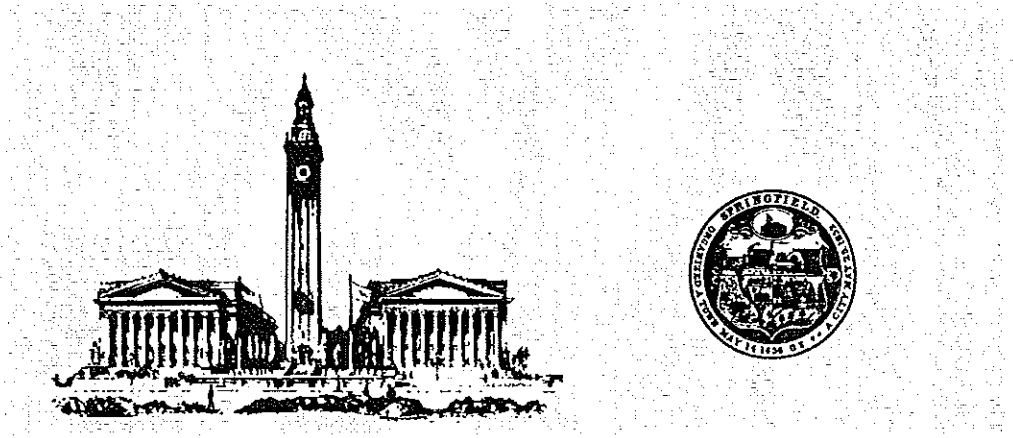


ZONE: RES C

NEIGHBORHOOD: FOREST PARK

BUCK PLAN: 717

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

4/2/2012

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: 191 Oakland Street: 09210-0128

Petitioner: Reynolds & Werman, LLC

Landlord: R.M. Blerman, LLC

A handwritten signature in black ink, appearing to read "Stephen J. Lonergan", is written over a horizontal line.

Stephen J. Lonergan: Treasurer/Collector

REPORT TO CITY COUNCIL**ZONE CHANGE HEARING****PLOT and SECTION#: 3137 & Sectin 54****DATE: May 29, 2012**

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: Thomas D. Murphy, Esquire

ADDRESS: 22 St George Road

CHANGE REQUESTED: Res C to Ind A

RECOMMENDATION: Not Recommend

Respectfully Submitted,

Barbara Footit, Board Clerk

AMENDING SECTION 49 OF THE 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, April 21, 1971, as amended, is hereby further amended by changing from **Residence B to Business A** the zoning on **Plot #3137 & Section 54, Section Not Recommend** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Not Recommend 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 May 29, 2012, regarding the above Ordinance amendment.

Kerry Dietz, Chairperson

RECEIVED

2012 APR 25

CITY CLERK'S OFFICE
SPRINGFIELD, MA**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 22 Saint George Road (11165-0001) from Residence C to Industrial A.

Mailing Address:

22 St George Road
Springfield, MA 01104

Owner:

St. George Greek Orthodox Cathedral of
Western Massachusetts, Inc.

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

BY: Fr. Christopher Stamos
Fr. Christopher Stamos, Pastor

Mailing Address:

One Monarch Place, Suite 2500
Springfield, MA 01144

Petitioner:

Thomas D. Murphy, Esquire

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

BY: Thomas D. Murphy
Thomas D. Murphy, Esquire

A true copy of a petition referred to the Planning Board on:
April 2, 2012

Attest:

Wayman Lee, Esquire

Wayman Lee

Attachment: 3137_22_St_George_Rd_CC (1617 : 22 St George Road)

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3137
SECTION: 54

DATE: April 5, 2012

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: Thomas D. Murphy, Esquire

ADDRESS: 22 Saint George Road (11165-0001)

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

PETITIONER'S PURPOSE STATEMENT: Installation of a billboard

DATE OF PUBLIC HEARING: April 4, 2012

DATE OF FINAL DECISION: April 4, 2012

BOARD MEMBERS PRESENT and COUNT: (6) Mr. Daniele, Ms. DeFillipo, Ms. Villanueva, Ms. Stebbins, Mr. Swan Jr., Mr. Florian and Ms. McQuade

FINAL MOTION: NOT TO APPROVE

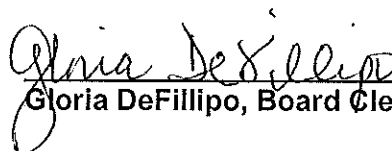
IN FAVOR: (5) Ms. DeFillipo, Ms. Stebbins, Mr. Swan, Mr. Florian, Ms. McQuade

OPPOSED: (1) Mr. Daniele

ABSTAINED: N/A

RECOMMENDATION: NOT TO APPROVE

Respectfully submitted,


Gloria DeFillipo, Board Clerk

Attachment: 3137_22_St_George_Rd_CC (1617 : 22 St George Road)

REPORT TO CITY COUNCIL**ZONE CHANGE HEARING****PLOT and SECTION#: City Wide****DATE: May 29, 2012**

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: City Council

ADDRESS: City Wide

CHANGE REQUESTED: Article XVIII-A Non-Accessory Sign Regulations

RECOMMENDATION: Recommend

Respectfully Submitted,

Barbara Footit, Board Clerk

AMENDING SECTION 49 OF THE 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, April 21, 1971, as amended, is hereby further amended by changing from **Residence B to Business A** the zoning on **Plot #City Wide, Section Recommend** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Recommend 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 May 29, 2012, regarding the above Ordinance amendment.

Kerry Dietz, Chairperson

RECEIVED

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

CITY CLERK'S OFFICE

to amend the City of Springfield Zoning Ordinance by deleting Article XVIII, Section 180A5 and replacing it with a new Article XVIII-A, Non-Accessory (Billboard) Sign Regulations, as follows:

ARTICLE XVIII-A**NON-ACCESSORY (BILLBOARD) SIGN REGULATIONS**

Section 1801-A: Purpose. To preserve and promote the public health, safety, and welfare of the residents of Springfield by maintaining and enhancing the visual environment, by protecting areas of scenic beauty or of historic interest, by minimizing the possible adverse effect of non-accessory signs on nearby residences, public resources or private property.

Section 1801-A: General Regulations: There shall not be more than two hundred (200) non-accessory signs in the City of Springfield. These signs must be properly permitted by the City of Springfield and by the Outdoor Advertising Division of the Commonwealth of Massachusetts. Existing signs which are so properly permitted may be maintained and repaired but not enlarged. The Code Enforcement Commissioner may issue a permit for a new sign allowed under this cap or for the relocation of a pre-existing sign permitted by the City and Commonwealth provided the new sign or new location comply with the following provisions:

1. One (1) non-accessory sign with an area less than one hundred (100) square feet shall be allowed for each parcel only if such sign is a "wall sign." Such a sign shall not project more than twelve (12) inches from the surface of the wall to which it is attached, or vertically past the roofline or parapet, or horizontally past the extent of the wall to which it is attached. Height from the top of the sign to finished grade shall not exceed thirty (30) feet.
2. A non-accessory sign shall not be located within a five hundred (500) foot radius of an existing non-accessory sign.
3. A non-accessory sign shall not be erected in:
 - (a) Any location where it obstructs a view of scenic beauty and interest or places of historic interest. In making this determination, the Code Enforcement Commissioner may consult the Springfield Park Commission and Springfield Historical Commission.
 - (b) Any location within five hundred (500) feet of, and visible from, the grounds of a school, place of worship, college, public library, public park, public conservation area, museum, cemetery, or property or district listed on the State Register of Historic Places, or from an American Heritage River.
 - (c) Any location within five hundred (500) feet of, and visible from, a residential zoning district or a building containing residences.

- (d) Any location within an authorized urban renewal area which prohibits non-accessory signs.
- 4. A non-accessory sign of one hundred (100) square feet or larger may be either a "ground sign" or "wall sign." As a "ground sign," it may be a double-faced sign provided the distance between the two faces shall not exceed ten (10) feet at any point. Height from the top of the sign to finished grade of the roadway it faces shall not exceed thirty (30) feet.
- 5. A relocated sign shall not exceed its size at its current location. In no case shall a relocated sign exceed one hundred (100) square feet in Business A districts or seven hundred (700) square feet in Business B or Industrial A districts. Relocated signs are not allowed in any other zoning district. Relocated signs are not allowed on roofs.
- 6. When an existing sign is removed under this cap, a new sign may be permitted but shall not exceed the size of the removed sign. In no case shall a new sign exceed one hundred (100) square feet in Business A districts or seven hundred (700) square feet in Business B or Industrial A districts. New signs are not allowed in any other zoning districts or allowed on roofs.
- 7. Mobile (located on truck, trailer or other motor vehicle) non-accessory signs are prohibited.

Section 1802-A: Digital Non-Accessory Signs:

- 1. Digital non-accessory signs shall require a special permit by the City Council and shall only be allowed in Business B or Industrial A zones.
- 2. A digital non-accessory sign shall not be located in:
 - (a) Any location where it obstructs a view of scenic beauty and interest or places of historic interest. In making this determination, the Code Enforcement Commissioner may consult the Springfield Park Commission and/or Springfield Historical Commission.
 - (b) Any location within five hundred (500) feet of, and visible from, the grounds of a school, place of worship, college, public library, public park, public conservation area, museum, cemetery, or property or district listed on the State Register of Historic Places, or from an American Heritage River.
 - (c) Any location within five hundred (500) feet of, and visible from, a residential zoning district or a building containing residences.
 - (d) Any location within an authorized urban renewal area which prohibits non-accessory signs.
 - (e) Within a five hundred (500) foot radius of an existing non-digital, non-accessory sign or within a two thousand (2,000) foot radius of another digital, non-accessory sign.

3. Digital non-accessory signs shall not flash, rotate, make noise, sparkle, twinkle or purposely reflect sunlight; move or give the illusion of moving.
4. Digital non-accessory signs shall not contain streaming video, full-motion video, animation or frame effects.
5. The transition time, or the time it takes to change each message, shall be one (1) second or less.
6. Digital non-accessory signs shall have a frame hold time of not less than ten (10) seconds.
7. A digital non-accessory sign shall not be visible from more than one (1) direction of travel.
8. Digital non-accessory signs shall be equipped with automatic dimming capability to automatically adjust the illuminative brightness of the display according to ambient light conditions by means of a light detector/photocell. Further, the light produced by such signs shall not exceed 0.3 foot candles over ambient light levels. The ambient light reading shall be taken at least thirty (30) minutes past sunset with the sign turned off or displaying all black copy. The fully lit reading shall be taken with the sign displaying all white copy. Measurement of the light levels shall be taken perpendicular to the face of the sign and the following distances should be used as a guideline to determine measurement distances:
 - (a) Signs 100 square foot or smaller to be measured at a distance of 100 feet from source;
 - (b) Signs 100 to 350 square feet shall be measured at a distance of 150 feet from source;
 - (c) Signs greater than 350 to 650 square feet shall be measured at a distance of 200 feet from source;
 - (d) Signs greater than 650 to 700 square feet shall be measured at a distance of 250 feet from the source.
9. Spillover light exceeding 0.2 foot candles as measured at a residential property line is prohibited.
10. The owner of each digital, non-accessory sign shall provide the City of Springfield's Building Department information for a 24-hour contact to be able to turn off the sign promptly should a malfunction occur.
11. If at any time, more than twenty five percent (25%) of the digital display lights malfunction or are no longer working, the owner of said digital non-accessory sign shall make repairs to the sign within thirty (30) days or the sign shall be turned off until repairs are completed.
12. For every one (1) digital non-accessory sign panel installed, two (2) existing non-accessory sign panels, of the same size, shall be removed. Selection of the non-

accessory signs panels to be removed shall be done in consultation with the Building Commissioner and the Office of Planning & Economic Development. Such signs shall be removed within one (1) year after installation of the digital non-accessory sign. An existing panel that is to be retrofitted with digital panel(s) shall not count toward the aforementioned panel to be removed.

13. If after the installation of a digital non-accessory sign, the US Department of Transportation, Federal Highway Administration or the Massachusetts Department of Transportation, Office of Outdoor Advertising, concludes that digital non-accessory signs are detrimental to traffic safety, then the hazard posed by the sign shall be resolved. If the hazard can be effectively resolved by adjusting the brightness, length of display or other such performance standard, then this shall be allowed as the course of action. However, if the hazard cannot be effectively resolved by adjusting the performance of the sign, the sign shall be removed and may be replaced with a non-digital, non-accessory sign.
14. A digital non-accessory sign cannot replace an existing non-accessory sign that is non-conforming unless the entire sign is brought into compliance with all the applicable provisions of this Article.
15. A digital non-accessory signs shall comply with all any and all regulations as outlined in Massachusetts Department of Transportation, 700 CMR 3.00: Control and Restriction of Billboards, Signs and Other Advertising Devices, as amended.

Mailing Address:

36 Court Street
Springfield, MA 01103

Petitioners:

Springfield City Council

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

By: James J. Ferraro, III
City Councilor

By: Guida Runa
City Councilor

By: John C. Lyock
City Councilor

By: Bud Williams
City Councilor

By: Timothy Roche
City Councilor

By: M Al
City Councilor

By: Clodu Concepcion
City Councilor

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3138
SECTION: Entire City

DATE: April 5, 2012

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 City Council

ADDRESS: Entire City

CHANGE REQUESTED: Amending the Springfield Zoning Ordinance by deleting Article XVIII, Section 1801.5 and replacing it with a new Article XVIII-A, Non-Accessory (Billboard) Sign Regulations

PETITIONER'S PURPOSE STATEMENT: To allow and regulate the installation of new digital billboards.

DATE OF PUBLIC HEARING: April 4, 2012

DATE OF FINAL DECISION: April 4, 2012

BOARD MEMBERS PRESENT and COUNT: (6-0) Mr. Daniele, Ms. DeFillipo, Ms. Stebbins, Mr. Swan Jr., Mr. Florian and Ms. McQuade

FINAL MOTION: Approve with a modification (see attached)

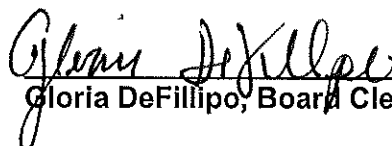
IN FAVOR: (6) Mr. Daniele, Ms. DeFillipo, Ms. Stebbins, Mr. Swan, Mr. Florian and Ms. McQuade

OPPOSED: none

ABSTAINED: N/A

RECOMMENDATION: Approve with a modification

Respectfully submitted,


Gloria DeFillipo, Board Clerk

Attachment: 3138_Non_Accessory_Signs_CC (1616 : Article XVIII-A Non-Accessory Sign Regulations)

PETITION: #3138
SECTION: Entire City

DATE: April 5, 2012

As Proposed: Article XVIII-A, Section 1802-A.12:

1. For every one (1) digital non-accessory sign panel installed, two (2) existing non-accessory sign panels, of the same size, shall be removed. Selection of the non-accessory signs panels to be removed shall be done in consultation with the Building Commissioner and the Office of Planning & Economic Development. Such signs shall be removed within one (1) year after installation of the digital non-accessory sign. An existing panel that is to be retrofitted with digital panel(s) shall not count toward the aforementioned panel to be removed.

Proposed Amendment: Article XVIII-A, Section 1802-A.12:

1. For every one (1) digital non-accessory sign panel installed, two (2) existing non-accessory sign panels, of the same size, shall be removed. Selection of the non-accessory signs panels to be removed shall be done in consultation with the Building Commissioner and the Office of Planning & Economic Development. Such signs shall be removed at the time that the new digital signage is operational followed by the sign structures being removed within six (6) months. An existing panel that is to be retrofitted with digital panel(s) shall not count toward the aforementioned panel(s) to be removed.

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 1683)**

Meeting: 05/29/12 07:00 PM

Department: City Clerk

Category: General

Prepared By: Wayman Lee

Initiator: Linda Fitzpatrick

Sponsors:

DOC ID: 1683

77 West Street Keep and Store

CITY OF SPRINGFIELD



CITY CLERK'S OFFICE

SPRINGFIELD, MASSACHUSETTS

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD:

MARCH 26, 2012
Date

The undersigned respectfully petition your honorable body for a license to keep, store, use and sell petroleum and its products in quantities not exceeding 10,000 (Additional)

✓ Gallons in Underground (New or Existing)
(Underground or Above Ground) (Circle One)

Location of Land: 77 WEST STREET
Number Street

Nearest Cross Street: AVACADO ST.

Owner of Land: Pride Limited Partnership

✓ Number of Buildings or Other Structures to Which This Application Applies

Occupancy or Use of Such Buildings: RETAIL GAS & STORE

Total Current Capacity of Tanks: ABOVEGROUND UNDERGROUND 66,000

✓ Kind of Fluid to be Stored in Tanks: diesel exhaust fluid

✓ Robert Bolduc
Signature of Applicant

✓ Name: Robert Bolduc

✓ Address: 246 Cottage St, Spfld

✓ Phone: 737-6992

Fax: 731-5852

APPROVED DISAPPROVED
(Circle One)

4/25/12

Date

Joseph A. Conant
Fire Commissioner of the Fire Department

Application Fee: \$250.00

License Fee: \$ 4400

Advertisement Fee: \$60.00

Total: \$ 354.00

2/10

Attachment: 77 WEST ST (1683 : 77 West Street)

Springfield Fire Department - Headquarters
605 Worthington Street
Springfield, MA 01105-1112
413-787-6411 (Voice) / 413-787-6400 TTY
413-787-6432 (FAX)

Joseph A. Conant
Commissioner

April 25, 2012

To: City Council

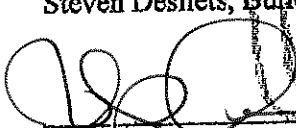
License to keep, store and use petroleum products in quantities not exceeding 71,000 gallons with the installation of a new 10,000 gallon underground storage tank at 77 West Street, Pride Limited Partnership, for the purpose of diesel exhaust fluid (non-petroleum product).

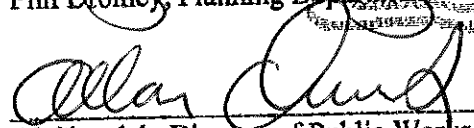
Application is outlined above:

Investigated by Joseph A. Conant, Commissioner
Steven Desilets, Building Commissioner
Phil Dromey, Planning Department
Al Chwalek, Director of Public Works


Joseph A. Conant, Fire Commissioner


Steven Desilets, Building Commissioner


Phil Dromey, Planning Department


Al Chwalek, Director of Public Works

Attachment: 77 WEST ST (1683 : 77 West Street)

Pride

246 Cottage St., Springfield, MA 01104-4002
Tel. 413-737-6992 · Fax 413-731-5852

March 25, 2012

Clerk, City of Springfield
Springfield, Ma

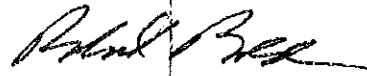
Re: Storage License, 77 West St

Our current license is for 61,000 gals underground. In order to accommodate the new EPA regulations we must carry Diesel Exhaust Fluid, which is an additive to make trucks emit cleaner exhaust.

In order to provide this we must add a 10,000 gal tank and do request permission to install. See attached sketch which shows where this tank will be installed.

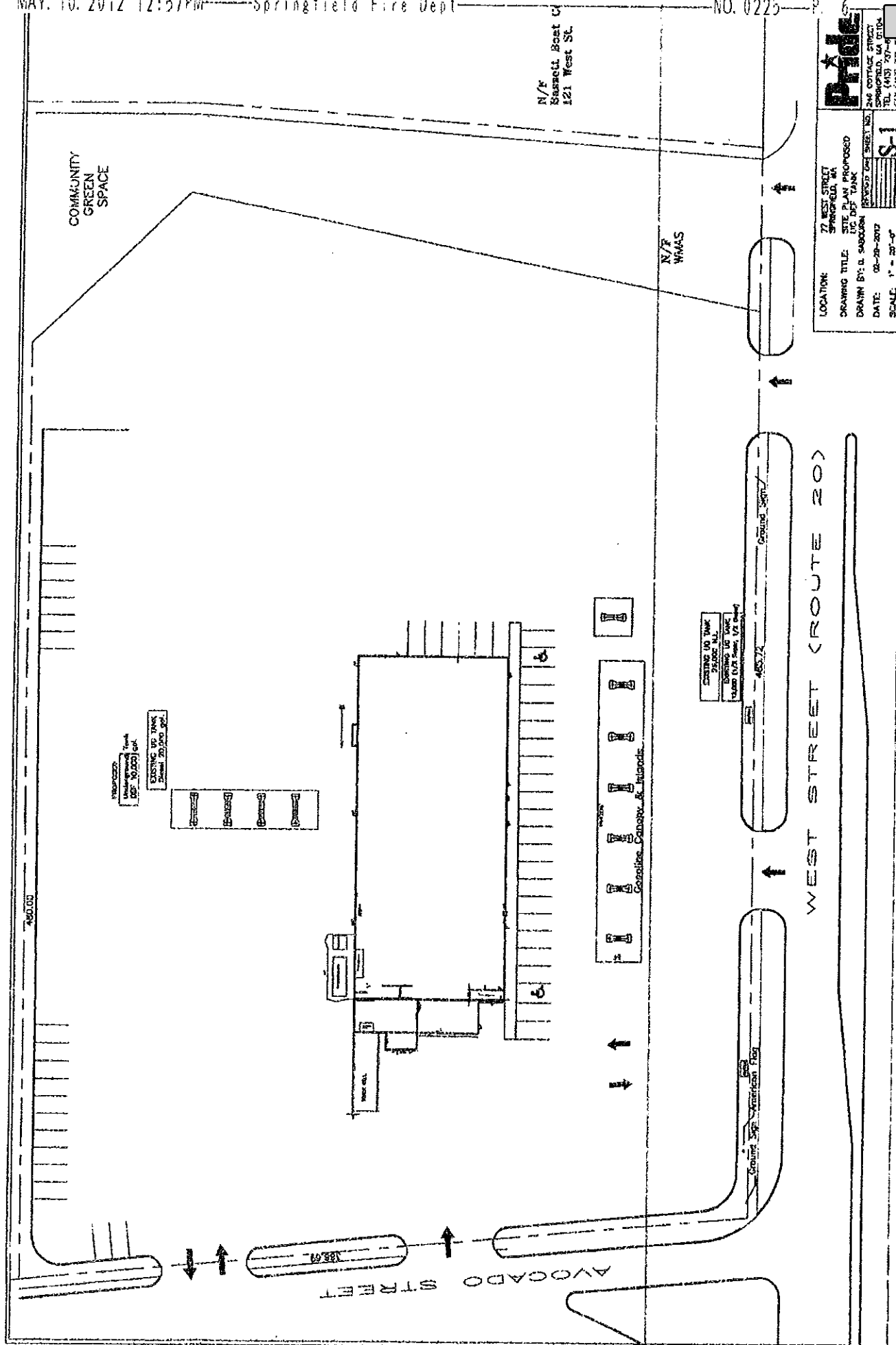
Thank you very much.

Yours truly,



Robert Bolduc, ceo

Attachment: 77 WEST ST (1683 : 77 West Street)



Springfield Fire Department (Headquarters)
605 Worthington Street
Springfield, MA 01105-1112

Fire Prevention
413-787-8410 (Voice)
413-787-8432 (FAX)

Administration
413-787-6411 (Voice) / 413-787-6400 TTY
413-787-6432 (FAX)

Training Division
100 Grochmal Ave
Springfield, MA 01105
413-787-6417 (Voice)
413-750-2420 (FAX)

Alarm/Dispatch
1535 Roosevelt Ave
Springfield, MA 01105
413-787-6400 (Voice)
413-750-2851 (FAX)

Repair Division
1535 Roosevelt Ave
Springfield, MA 01105
413-787-6418 (Voice)
413-750-2851 (FAX)

Arson Division
1212 Carow Street
Springfield, MA 01104
413-787-6370 (Voice)
413-787-6389 (FAX)



Firestop Program
1535 Roosevelt Ave
Springfield, MA 01105
413-750-2424 (Voice)
413-886-5055 (FAX)

FAX COVER PAGE

TO: <i>Steven Desilets Bldg. Commissioner</i>	
COMPANY:	
DATE: <i>5/10/12</i>	TIME:
PAGES INCLUDING COVER PAGE: <i>6</i>	
FROM: <i>Jennifer Bouchard</i>	
DIVISION: <i>Fire Prevention</i>	
COMMENT: <i>Pride 77 West St.</i>	

CONFIDENTIALITY NOTICE

The document(s) accompanying this telecopier transmission contains information from the City of Springfield Fire Department which may be confidential and/or privileged. The information is intended only for the use of the individual(s) or the named entity on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or taking of any action in reliance on the contents of this telecopied information is strictly prohibited and that the document should be returned to the Springfield Fire Department immediately. In this regard, if you have received this telecopy in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us either via United States Postal Service or by the method of delivery specified by the sender.

PLEASE CALL THE ABOVE TRANSMITTING DIVISION IF THERE ARE ANY PROBLEMS WITH THE TRANSMISSION OF THESE DOCUMENTS

Attachment: 77 WEST ST (1683 : 77 West Street)

**DEPARTMENTAL AND INTER-DEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS**

TO: Steven Desilets
DEPARTMENT: Building Commissioner
COPIES TO: Phil Dromey, Planning
Al Chwalek, D.P.W.

DATE: April 25, 2012
FROM: Comm. Joseph A. Conant *JAC*
DEPARTMENT: Fire
SUBJECT: Pride Limited Partnership
77 West Street

As a member of the Fire Prevention Committee, you are requested to investigate the enclosed petition for a license to keep, store and use diesel exhaust fluid and its products in quantities not exceeding 10,000 gallons in a new underground storage tank at 77 West Street, Pride Limited Partnership.

If you approve the petition, please sign the enclosed letter to the City Council and forward to the next committee member.

When all committee members have made their investigation, please return the petition and the letter to my office as soon as possible.

RECEIVED

MAY 10 2012

BUILDING DIVISION
SPRINGFIELD, MA 01104

Attachment: 77 WEST ST (1683 : 77 West Street)

CITY CLERK'S OFFICE
SPRINGFIELD, MASSACHUSETTS

****PETITIONER TO OBTAIN ABUTTERS NAMES AND ADDRESSES
FROM THE ASSESSORS OFFICE****

Pride Limited Partnership
Attn: Robert Bolduc
2476 Cottage Street
Springfield, MA 01104

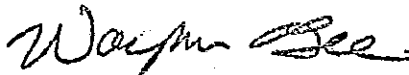
A hearing has been set by the City Council for **Tuesday, May 29, 2012 at 7:00 P.M. at City Hall, 36 Court Street** on your petition to keep and store petroleum and its products.

I am enclosing notices which must be filled out and sent by **registered mail** (be sure to ask for return receipts) to all the abutters (front, back and two sides) of the property mentioned in your petition.

These notices must be sent to the said abutters **on or before May 15, 2012** and the return receipts from said registered notices **be sent to this office prior to the scheduled hearing, or brought in person the night of the hearing**

(See back of notice for full directions.)

Very truly yours,



Wayman Lee, Esq
City Clerk

Attachment: 77 WEST ST (1683 : 77 West Street)

PETROLEUM STORAGE HEARING

**CITY OF SPRINGFIELD
CITY CLERK'S OFFICE
CITY HALL
36 COURT STREET
413-787-6096**

May 15, 2012

Notice is hereby given that the City Council will give a hearing in the Council Chambers, City Hall, 36 Court Street, Springfield, MA., ***Tuesday evening, May 29, 2012 at 7:00 o'clock P.M.*** to all parties interested in the petition of:

Pride Limited Partnership for permission to keep, use, store and sell petroleum and its products in quantities not exceeding ***10,000 (Additional)*** in underground tanks at ***77 WEST STREET***

By Order of the City Council
Wayman Lee, Esquire
City Clerk

May 15, 2012

Attachment: 77 WEST ST (1683 : 77 West Street)

NOTICE TO ABUTTER

**CITY CLERK'S OFFICE
SPRINGFIELD, MASSACHUSETTS**

May 15, 2012

TO:

You are hereby notified that there will be a public hearing on my petition to use, keep sell and store petroleum and its products in quantities not exceeding **10,000 (Additional) gallons** at **77 West Street** to be presented before the City Council in the Council Chambers on the second floor of the Municipal Building, **Tuesday, May 29, 2012** at **7:00 o'clock P.M.**

**Petitioner: Pride Limited Partnershi
By: Robert Bolduc**

Attachment: 77 WEST ST (1683 : 77 West Street)

****THIS LETTER TO BE RETURNED TO THE CITY CLERK'S OFFICE
TOGETHER WITH THE RETURN RECEIPTS FROM THE POST OFFICE
PRIOR TO THE SCHEDULED HEARING.****

Pride Limited Partnership
Attn Robert Bolduc
246 Cottage Street
Springfield, MA 01104

To whom it may concern:

In connection with the petition for a license to keep, store, use and sell petroleum and its products at:

77 WEST STREET

and pursuant to the provisions of the General Laws, Chapter 148, Section 13, I have caused to be delivered by registered mail notice of said petition to all owners of real estate abutting on said land or directly opposite said land on any public or private street as they appear on the most recent local tax list; and I have attached hereto postal receipts evidencing the delivery of said notices as aforesaid to the following persons:

Petitioner: _____

By _____

Attachment: 77 WEST ST (1683 : 77 West Street)

Re: petro storage

Legals [classified-legals@repub.com]

Sent: Friday, May 11, 2012 4:17 PM

To: Fitzpatrick, Linda

Hi Linda,

I was able to get the notice into Tuesdays paper, order #2452800, cost \$142.50. (we had a little bit of space left but it is still possible it may have to run on our overflow page)

Have a wonderful weekend!

Kathy

----- Original Message -----

From: Fitzpatrick, Linda

To: classified-legals@repub.com

Sent: Friday, May 11, 2012 3:11 PM

Subject: petro storage

Hi Kathy,

Pls adv one time on 5/15

Thx,

Linda

Attachment: 77 WEST ST (1683 : 77 West Street)



246 Cottage St., Springfield, MA 01104-3540
Tel. 413-737-6992 · Fax 413-731-5852

April 2, 2012

All Interested Departments
Members of the City Council

In order to meet the requirements of the US EPA for all heavy trucks beginning in 2010, the sale of "Diesel Exhaust Fluid" is required.

Diesel exhaust fluid is a high purity solution of urea in water that reduces Nox emissions from trucks powered by diesel engines. It is a clear liquid similar in appearance to water. See attached MSDS for further details.

We have met with representatives of the Springfield Fire Department and they have no requirements or issues since the product is not flammable. See attached confirming email.

Similarly, representatives of Mass DEP have confirmed that the product is not listed as a Hazardous Substance and therefore not subject to their regulations (527 CMR 9.00).

We respectfully request your approval for this storage tank.

Yours truly,

Bob Bolduc

Attachment: 77 WEST ST (1683 : 77 West Street)

CITY OF SPRINGFIELD



CITY CLERK'S OFFICE

SPRINGFIELD, MASSACHUSETTS

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD:

MARCH 24, 2012
Date

The undersigned respectfully petition your honorable body for a license to keep, store, use and sell petroleum and its products in quantities not exceeding 10,000 (Additional)

✓ Gallons in Underground (Underground or Above Ground) (New or Existing) (Circle One)

Location of Land: 77 WEST STREET
Number Street

Nearest Cross Street: AVACADO ST.

Owner of Land: Pride Limited Partnership

✓ Number of Buildings or Other Structures to Which This Application Applies: _____

Occupancy or Use of Such Buildings: RETAIL GAS + STORE

Total Current Capacity of Tanks: ABOVEGROUND UNDERGROUND 6,000

✓ Kind of Fluid to be Stored in Tanks: diesel exhaust fluid

✓ Robert Bolduc
Signature of Applicant

✓ Name: Robert Bolduc

✓ Address: 246 Cottage St, Spfld

✓ Phone: 737-6992

Fax: 731-5852

APPROVED - DISAPPROVED
(Circle One)

Date

Fire Commissioner of the Fire Department

Application Fee: \$250.00License Fee: \$ 4400Advertisement Fee: \$60.00Total: \$ 35400

Subject: FW: Diesel Exhaust Fluid

From: Martin, Richard [mailto:rmartin2@springfieldcityhall.com]
Sent: Monday, April 09, 2012 2:17 PM
To: Yvan Lachance
Cc: Athene Zaleski
Subject: Diesel Exhaust Fluid

With regard to the 10,000 gallon tank that is going to be installed at 77 West St. in Springfield, MA the fire department has no requirements or issues for the product Urea and water.

If you have any questions feel free to call me.

Lt Richard G. Martin
Springfield Fire Department
Fire Prevention
605 Worthington St.
Springfield MA 01105

Ph. 413-787-6410 Fax 413-787-6432

Attachment: 77 WEST ST (1683 : 77 West Street)

4/9/2012

From: Motamedi, Saadi (DEP) [<mailto:saadi.motamedi@state.ma.us>]
Sent: Friday, March 30, 2012 9:21 AM
To: ylachance@pridestores.com
Cc: tripride@comcast.net; ODonnell, Veronica (DEP)
Subject: Urea/DEF UST

Dear Mr. Bolduc:

On March 26, 2012 you provided MassDEP with a MSDS for a product called Air1® Diesel Exhaust Fluid, manufactured by Yara North America, Inc., and an inquiry from Pride regarding the applicability of the Underground Storage Tank regulations, 527 CMR 9.00, to this material and its associated UST System. The MSDS indicates that this material is comprised of urea and water. Based on the MSDS and given that urea is not listed as a Hazardous Substance, as defined in section 101(14) of the Comprehensive Environmental Response Compensation and Liability Act of 1980, this material and the associated UST system are not subject to 527 CMR 9.00.

This determination is made solely based upon the review of the supplied MSDS document and it does not apply to any other product that may contain Hazardous Substance(s) as an ingredient and/or as impurity.

Please be advised that any similar product, used as pollution control in diesel engines, that may contain Hazardous Substance(s) in addition to urea and water, will be subject to the UST regulations.

Should you have any questions, please contact me.

Thank you

Saadi Motamedi
Massachusetts Department of Environmental Protection
Bureau of Waste Prevention / Western Regional Office
436 Dwight Street, Springfield, MA 01103
Phone: 413/755-2131 Fax: 413/784-1149
E-Mail: Saadi.Motamedi@state.ma.us

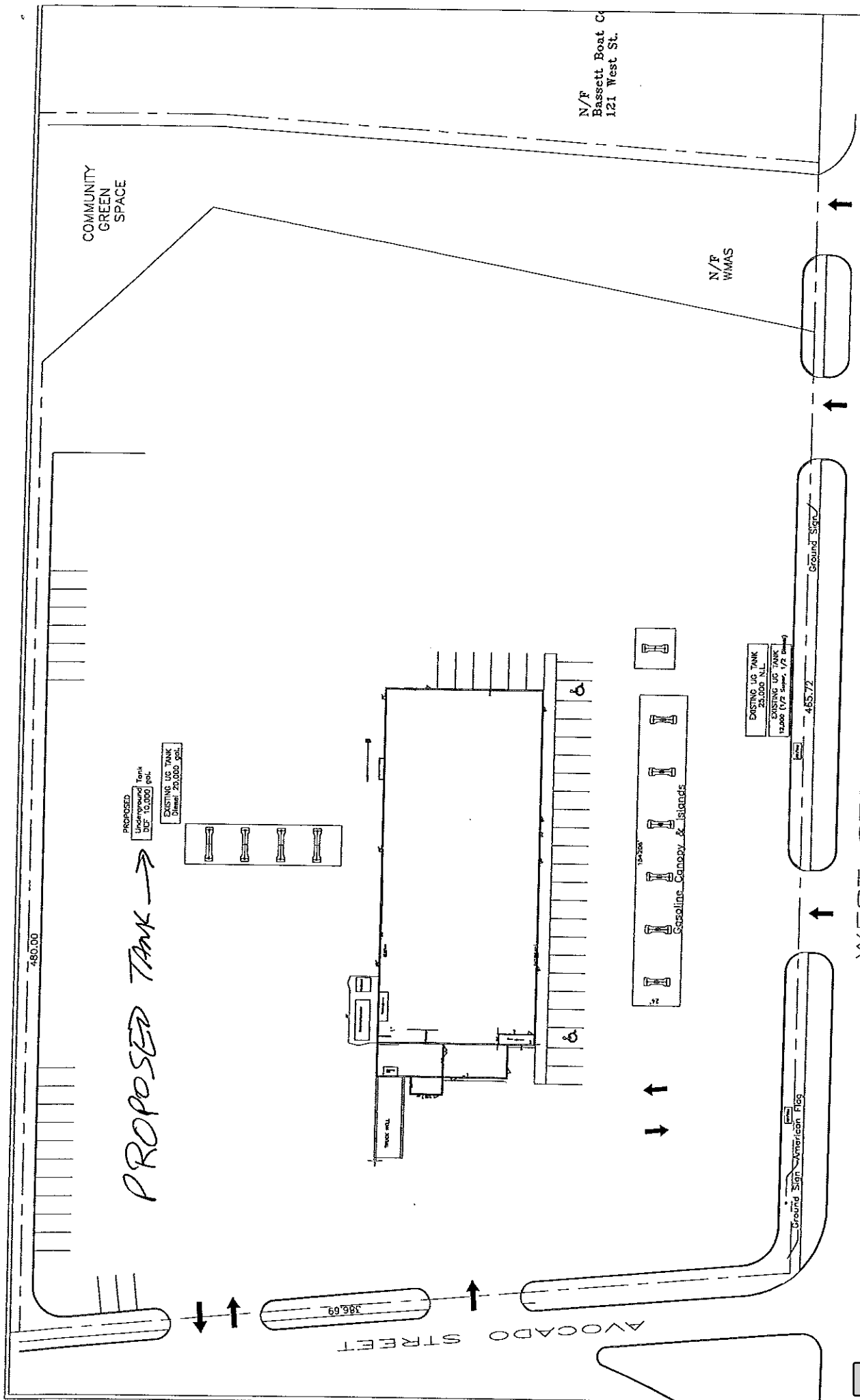
"FOR USE IN INTRA-AGENCY POLICY DELIBERATION ONLY"

Attachment: 77 WEST ST (1683 : 77 West Street)

Pride
246 COTTAGE STREET
SPRINGFIELD, MA 01103
TEL: (413) 737-8898
FAX: (413) 731-5555

LOCATION: 77 WEST STREET
SPRINGFIELD, MA
DRAWING TITLE: SITE PLAN PROPOSED
DRAWN BY: D. SABOURN
DATE: 02-29-2012
SCALE: 1" = 20'-0"

S-1



Attachment: 77 WEST ST (1683 : 77 West Street)