



CITY OF SPRINGFIELD

City Clerk's Office 11/20/2013 12:00:00 PM

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 **Monday evening November 25, 2013** 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 November 25, 2013 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Rules of the Road

- (1.) From BPW re:ALTON STREET - Installing No Parking Any Time on Both Sides -
<<Enter brief purpose>>
- (2.) From BPW re:MARSHALL STREET - Restoring a Two Way Traffic Pattern -
<<Enter brief purpose>>
- (3.) From BPW re:MARSHALL STREET - Installing No Parking Any Time - South Side -
<<Enter brief purpose>>
- (4.) From BPW re:STEARNS SQUARE (EAST) - Reversing One Way Pattern -
<<Enter brief purpose>>
- (5.) From BPW re:STEARNS SQUARE (WEST) - Reversing One Way Pattern -
<<Enter brief purpose>>
- (6.) From BPW re:SUMNER AVENUE - Removing Parking Restrictions - North Side -
<<Enter brief purpose>>
- (7.) From BPW re:SUMNER AVENUE - Removing Parking Restrictions - South Side -
<<Enter brief purpose>>
- (8.) From BPW re:OLNEY AVENUE - Installing Stop Sign at Morton Street -
<<Enter brief purpose>>
- (9.) From BPW re:STAFFORD STREET - Installing No Parking Any Time - South Side -
<<Enter brief purpose>>
- (10.) From BPW re:TILTON STREET - Installing Stop Sign at Lorenzo Street -
<<Enter brief purpose>>

Special Permits

- (1.) To Amend an Existing Special Permit (Accessory Used Car Sales), Approved April 23, 2008, by Amending Condition #4 (Number of Vehicles) at the Property Known as 351 East Columbus Avenue (04303-0630) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.5.
Request: See Above

Owner: William M. McCarthy
By: William M. McCarthy
Petitioner: William M. McCarthy
By: William M. McCarthy

ATTACHMENTS:

- 351 E Columbus Av (PDF)
- 351 E Columbus Av (PDF)

- (2.) For a Special Permit to Install a Digital Non-Accessory Sign at the Property Known as 603 East Columbus Avenue (04303-0595), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 9, Section 9.9.30.

Request: See Above
Owner: Balise Automotive Realty, LLL & Lamar
By: Stephen E. Hebert & James E. Balise
Petitioner: Lamar Central Outdoor, LLC
By: Stephen E. Hebert

ATTACHMENTS:

- 603 E Columbus Av (PDF)
- 603 E Cpulumbus Av (PDF)

- (3.) For a Special Permit to Install a Digital, Non-Accessory Sign, at the Property Known as 6 Liberty Street (07770-0001), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 9, Section 9.9.30.

Request: See Above
Owner: 6 Liberty Street, LLC
By: Hansraj Gada
Petitioner: Lamar Central Outdoor, LLC
By: Stephen E. Hebert

ATTACHMENTS:

- 6 Liberty St (PDF)
- 6 Liberty St (PDF)
- Liberty_St_6_Supplimental_Review_Nov_2013 (PDF)
- billboards (PDF)
- 7061gorm (PDF)



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2412

2.1

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

ALTON STREET - Installing No Parking Any Time on Both Sides

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2413

2.2

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

MARSHALL STREET - Restoring a Two Way Traffic Pattern

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

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City Clerk

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Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2414

2.3

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

MARSHALL STREET - Installing No Parking Any Time - South Side

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

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City Clerk

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Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2415

2.4

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

STEARNS SQUARE (EAST) - Reversing One Way Pattern

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

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Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2416

2.5

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

STEARNS SQUARE (WEST) - Reversing One Way Pattern

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2417

2.6

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

SUMNER AVENUE - Removing Parking Restrictions - North Side

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2418

2.7

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

SUMNER AVENUE - Removing Parking Restrictions - South Side

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2419

2.8

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

OLNEY AVENUE - Installing Stop Sign at Morton Street

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

SCHEDULED

Meeting: 11/25/13 07:00 PM
Initiator: Lou DiCarlo
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2420

2.9

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

STAFFORD STREET - Installing No Parking Any Time - South Side

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

SCHEDULED

2.10

Meeting: 11/25/13 07:00 PM

Initiator: Lou DiCarlo

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2421

Order of Location for the Installation and Maintenance of Underground Utilities

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

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

TILTON STREET - Installing Stop Sign at Lorenzo Street

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the
above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on November 25, 2013

City Clerk

We hereby certify that on November 4, 2013, at 1:30 PM, at Raymond Sullivan Public Safety Complex a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the November 25, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 2399)**

Meeting: 11/25/13 07:00 PM

Department: Planning and Economic Development

Category: Special Permit

Prepared By: Phil Dromey

Initiator: Phil Dromey

Sponsors:

DOC ID: 2399 A

To Amend an Existing Special Permit (Accessory Used Car Sales), Approved April 23, 2008, by Amending Condition #4 (Number of Vehicles) at the Property Known as 351 East Columbus Avenue (04303-0630) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.5.

Request:	See Above
Owner:	William M. McCarthy
By:	William M. McCarthy
Petitioner:	William M. McCarthy
By:	William M. McCarthy

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

351 EAST COLUMBUS AVENUE (04303-0630)
AMEND AN EXISTING SPECIAL PERMIT (ACCESSORY USED CAR SALES)

General Information

Petitioner:	William M. McCarthy
Request:	Amend an existing special permit, granted April 23, 2008, by amending condition #4 (number of vehicles).
Proposed use of the property:	Motor vehicle repairs/used car sales
Parcel Size:	8,067 s.f.
Compatibility with current planning documents:	The Forest Park Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Forest Park Civic Association: 10-29-13
Tax Status:	SEE ATTACHED
Site Visit:	11-6-13
Urban Renewal Status:	This parcel is not located within an urban renewal area.
Hearing Date:	11-25-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business A and is located within an area that has a mix of commercial uses.

- To the north is a veterinary clinic zoned Business A.
- To the south are offices zoned Business A.
- To the west is Interstate 91.
- To the east is vacant land zoned Residence C.

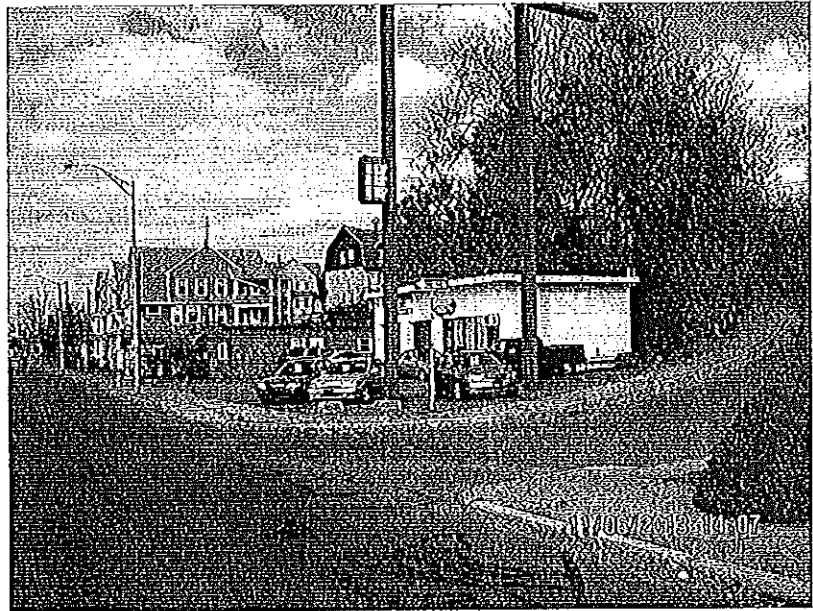
Site plan review:

The petitioner has requested to amend an existing special permit, granted April 2008, by allowing an increase in the number of vehicles allowed to be sold. Currently, the existing special permit only allows three (3) vehicles to be sold at any one time. The petitioner is requesting that this limit be raised to five (5) as allowed under the Zoning Ordinance.

After visiting the site, the staff was pleased that the site has been cleaned and is currently being maintained. The building has also been painted. As noted in the previous analysis back in 2008, the property lacks any

type of landscaping along the East Columbus Avenue frontage. As a compromise to installing a full landscape buffer, the staff would again recommend that the petitioner be required to install landscape planters at the corner of Bruno Street and East Columbus Avenue where the proposed vehicles will be displayed.

It should be noted that there is currently a large sign at this location. Due to the height of this sign, it is considered to be a pre-existing, non-conforming use. As per the Zoning Ordinance, non-conforming signs are allowed to remain so long as they continue to call attention to a product or business which is located on the property (Article 9, Section 9.11). Due to the fact that this sign advertises the gas station, which no longer is located at this property, the sign needs to either be removed or utilized for the existing business.



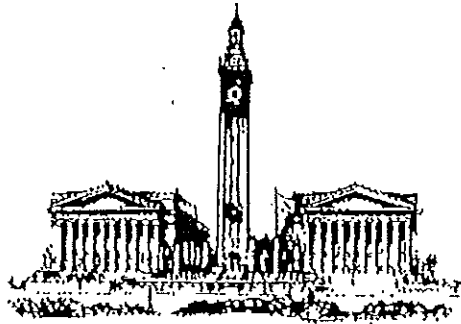
Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales, as an accessory use, at the property known as 351 East Columbus Avenue (04303-0630).
3. The use shall be developed as per the attached site plan, dated September 2007, with the addition of conditions #4 through #9.
4. There shall be no more than five (5) vehicles displayed for sale at any one time.
5. There shall be no storage of junk vehicles or parts located on the property.
6. The site shall be maintained graffiti free.
7. There shall be landscape planters, with seasonal plantings, placed along the corner of Bruno Street and East Columbus Avenue.
8. The public sidewalks shall be maintained free of all trash, debris and snow.
9. Vehicles for display shall not be elevated.
10. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

10/24,2013

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: 351 East Columbus Avenue 04303-0630

Petitioner: William M McCarthy

Landlord: Same

A handwritten signature in cursive script, reading "Stephen J. Loneragan", is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS

2008-0009

TO: DATE : April 23, 2008

DEPARTMENT: FROM: Wayman Lee, Esq.

COPIES TO: DEPARTMENT: City Clerk
351 E. Columbus Ave.

This is to inform you that at a meeting of the City Council held on Monday evening, March 31, 2008, it was voted by the Council in accordance with law to grant a Special Permit on the petition of Owner: William M. McCarthy and Petitioner: William M. McCarthy d/b/a East Columbus Auto Sales, for a special permit to sell used cars as an accessory use at the property known as 351 East Columbus Avenue (04303-0630) as allowed by Massachusetts General Laws and the Springfield Zoning Ordinance, Article X-I, Section 1001.11.d with the following conditions:

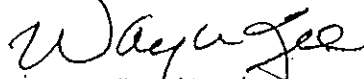
1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales, as an accessory use, at the property known as 351 East Columbus Avenue (04303-0630).
3. The use shall be developed as per the attached site plan, dated September 2007, with the addition of conditions #4 through #10.
4. There shall be no more than three (3) vehicles displayed for sale at any one time.
5. There shall be no storage of junk vehicles or parts located on the property.
6. The site shall be maintained graffiti free.
7. There shall be landscape planters, with seasonal plantings, placed along the corner of Bruno Street and East Columbus Avenue.
8. The support structures for the existing ground sign shall be painted.
9. The public sidewalks shall be maintained free of all trash, debris and snow.
10. Vehicles for display shall not be elevated.
11. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

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.

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

This permit becomes effective on April 23, 2008.

Very truly yours

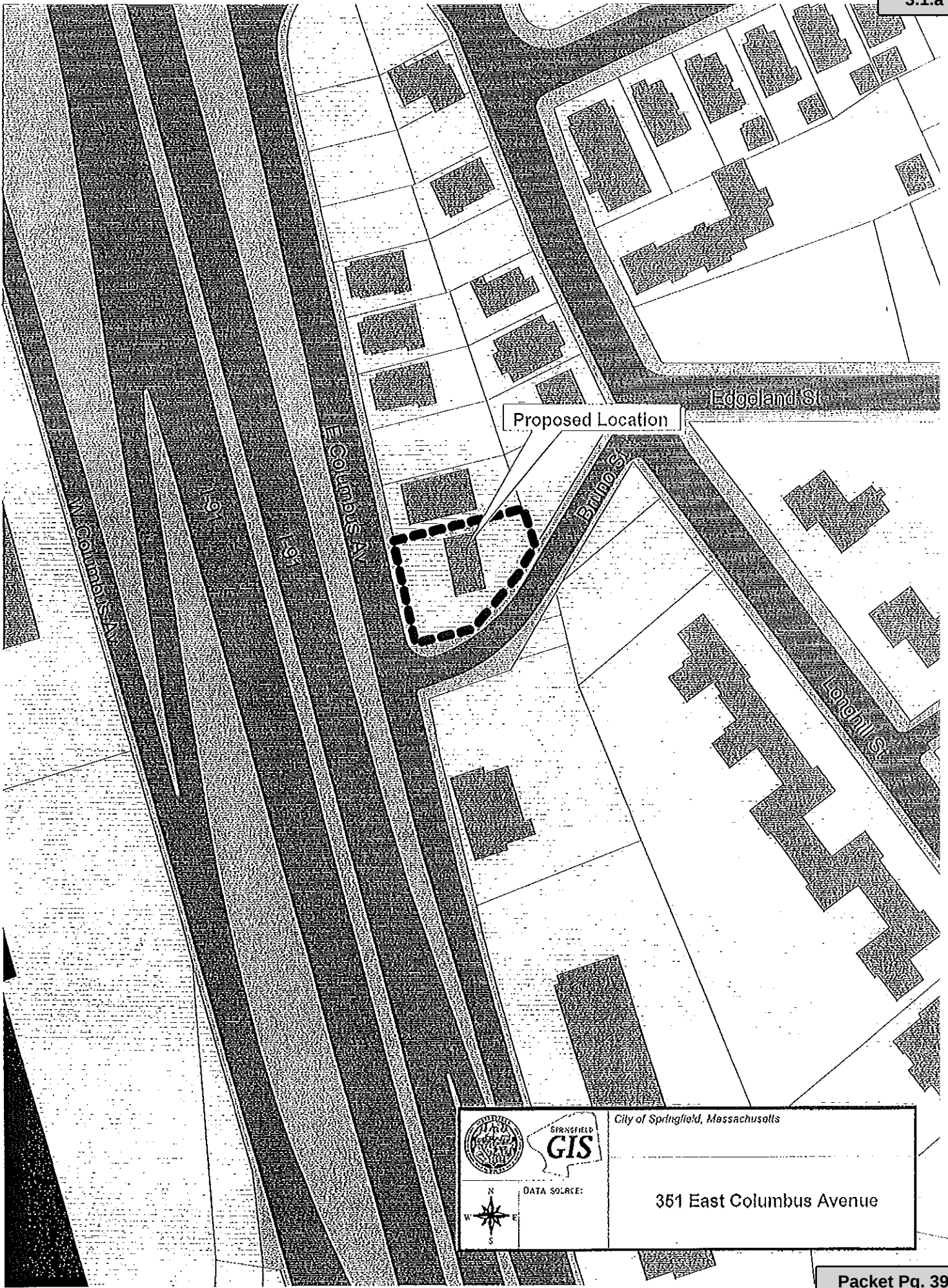


Wayman Lee, Esquire
City Clerk

WL/laf

Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)





Proposed Location

Edgeland St

Longmill St

Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)

	City of Springfield, Massachusetts	
	351 East Columbus Avenue	
	DATA SOURCE:	

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

351 EAST COLUMBUS AVENUE (04303-0630)
AMEND AN EXISTING SPECIAL PERMIT (ACCESSORY USED CAR SALES)

General Information

Petitioner:	William M. McCarthy
Request:	Amend an existing special permit, granted April 23, 2008, by amending condition #4 (number of vehicles).
Proposed use of the property:	Motor vehicle repairs/used car sales
Parcel Size:	8,067 s.f.
Compatibility with current planning documents:	The Forest Park Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Forest Park Civic Association: 10-29-13
Tax Status:	SEE ATTACHED
Site Visit:	11-6-13
Urban Renewal Status:	This parcel is not located within an urban renewal area.
Hearing Date:	11-25-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business A and is located within an area that has a mix of commercial uses.

To the north is a veterinary clinic zoned Business A.

To the south are offices zoned Business A.

To the west is Interstate 91.

To the east is vacant land zoned Residence C.

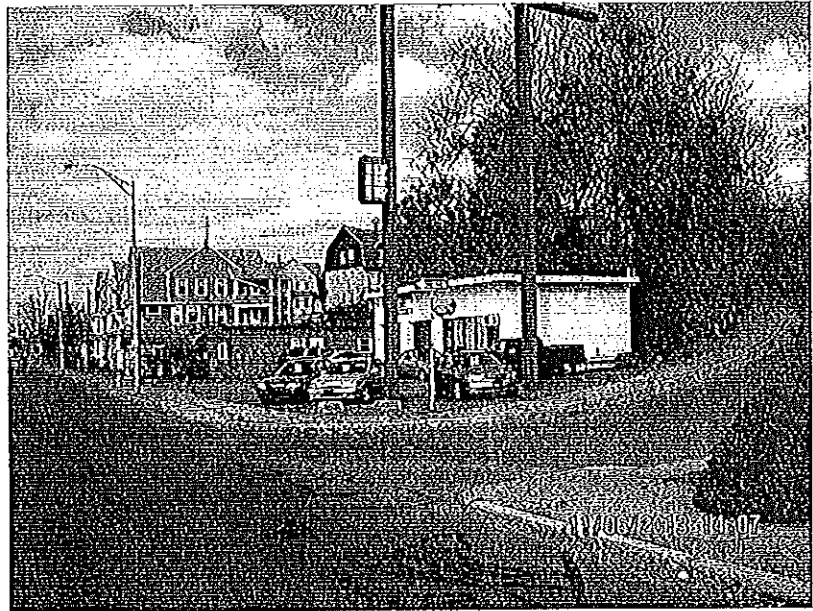
Site plan review:

The petitioner has requested to amend an existing special permit, granted April 2008, by allowing an increase in the number of vehicles allowed to be sold. Currently, the existing special permit only allows three (3) vehicles to be sold at any one time. The petitioner is requesting that this limit be raised to five (5) as allowed under the Zoning Ordinance.

After visiting the site, the staff was pleased that the site has been cleaned and is currently being maintained. The building has also been painted. As noted in the previous analysis back in 2008, the property lacks any

type of landscaping along the East Columbus Avenue frontage. As a compromise to installing a full landscape buffer, the staff would again recommend that the petitioner be required to install landscape planters at the corner of Bruno Street and East Columbus Avenue where the proposed vehicles will be displayed.

It should be noted that there is currently a large sign at this location. Due to the height of this sign, it is considered to be a pre-existing, non-conforming use. As per the Zoning Ordinance, non-conforming signs are allowed to remain so long as they continue to call attention to a product or business which is located on the property (Article 9, Section 9.11). Due to the fact that this sign advertises the gas station, which no longer is located at this property, the sign needs to either be removed or utilized for the existing business.



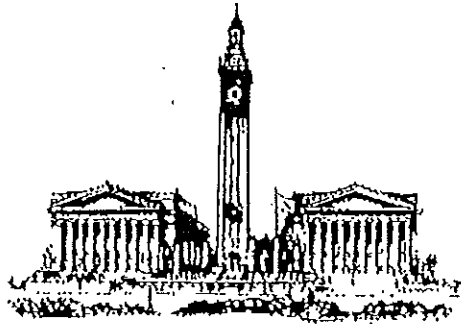
Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales, as an accessory use, at the property known as 351 East Columbus Avenue (04303-0630).
3. The use shall be developed as per the attached site plan, dated September 2007, with the addition of conditions #4 through #9.
4. There shall be no more than five (5) vehicles displayed for sale at any one time.
5. There shall be no storage of junk vehicles or parts located on the property.
6. The site shall be maintained graffiti free.
7. There shall be landscape planters, with seasonal plantings, placed along the corner of Bruno Street and East Columbus Avenue.
8. The public sidewalks shall be maintained free of all trash, debris and snow.
9. Vehicles for display shall not be elevated.
10. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

10/24,2013

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: 351 East Columbus Avenue 04303-0630

Petitioner: William M McCarthy

Landlord: Same

A handwritten signature in cursive script, reading "Stephen J. Loneragan", is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS

2008-0009

TO: DATE : April 23, 2008

DEPARTMENT: FROM: Wayman Lee, Esq.

COPIES TO: DEPARTMENT: City Clerk
351 E. Columbus Ave.

This is to inform you that at a meeting of the City Council held on Monday evening, March 31, 2008, it was voted by the Council in accordance with law to grant a Special Permit on the petition of Owner: William M. McCarthy and Petitioner: William M. McCarthy d/b/a East Columbus Auto Sales, for a special permit to sell used cars as an accessory use at the property known as 351 East Columbus Avenue (04303-0630) as allowed by Massachusetts General Laws and the Springfield Zoning Ordinance, Article X-I, Section 1001.11.d with the following conditions:

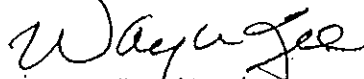
1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle sales, as an accessory use, at the property known as 351 East Columbus Avenue (04303-0630).
3. The use shall be developed as per the attached site plan, dated September 2007, with the addition of conditions #4 through #10.
4. There shall be no more than three (3) vehicles displayed for sale at any one time.
5. There shall be no storage of junk vehicles or parts located on the property.
6. The site shall be maintained graffiti free.
7. There shall be landscape planters, with seasonal plantings, placed along the corner of Bruno Street and East Columbus Avenue.
8. The support structures for the existing ground sign shall be painted.
9. The public sidewalks shall be maintained free of all trash, debris and snow.
10. Vehicles for display shall not be elevated.
11. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

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.

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

This permit becomes effective on April 23, 2008.

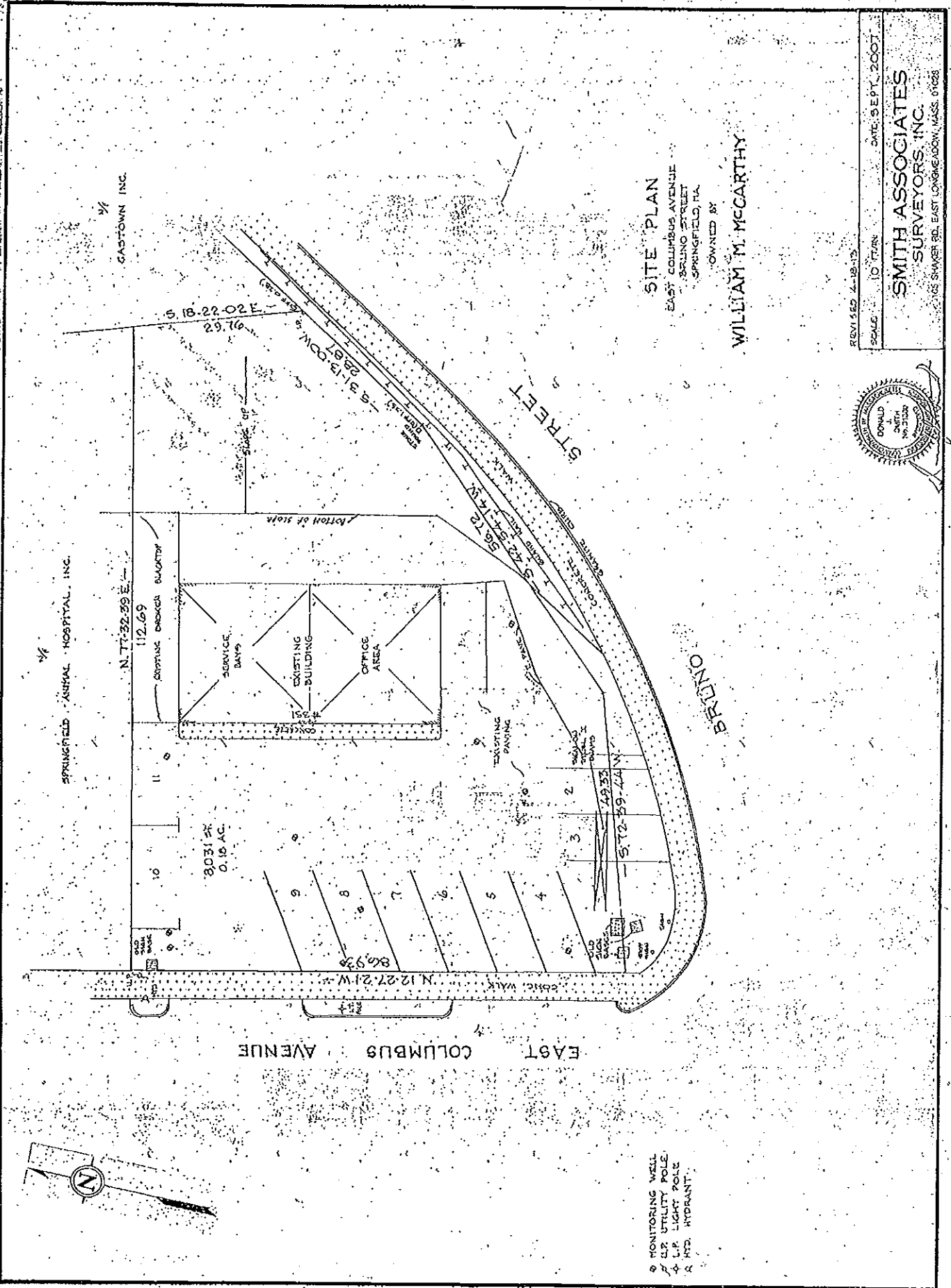
Very truly yours



Wayman Lee, Esquire
City Clerk

WL/laf

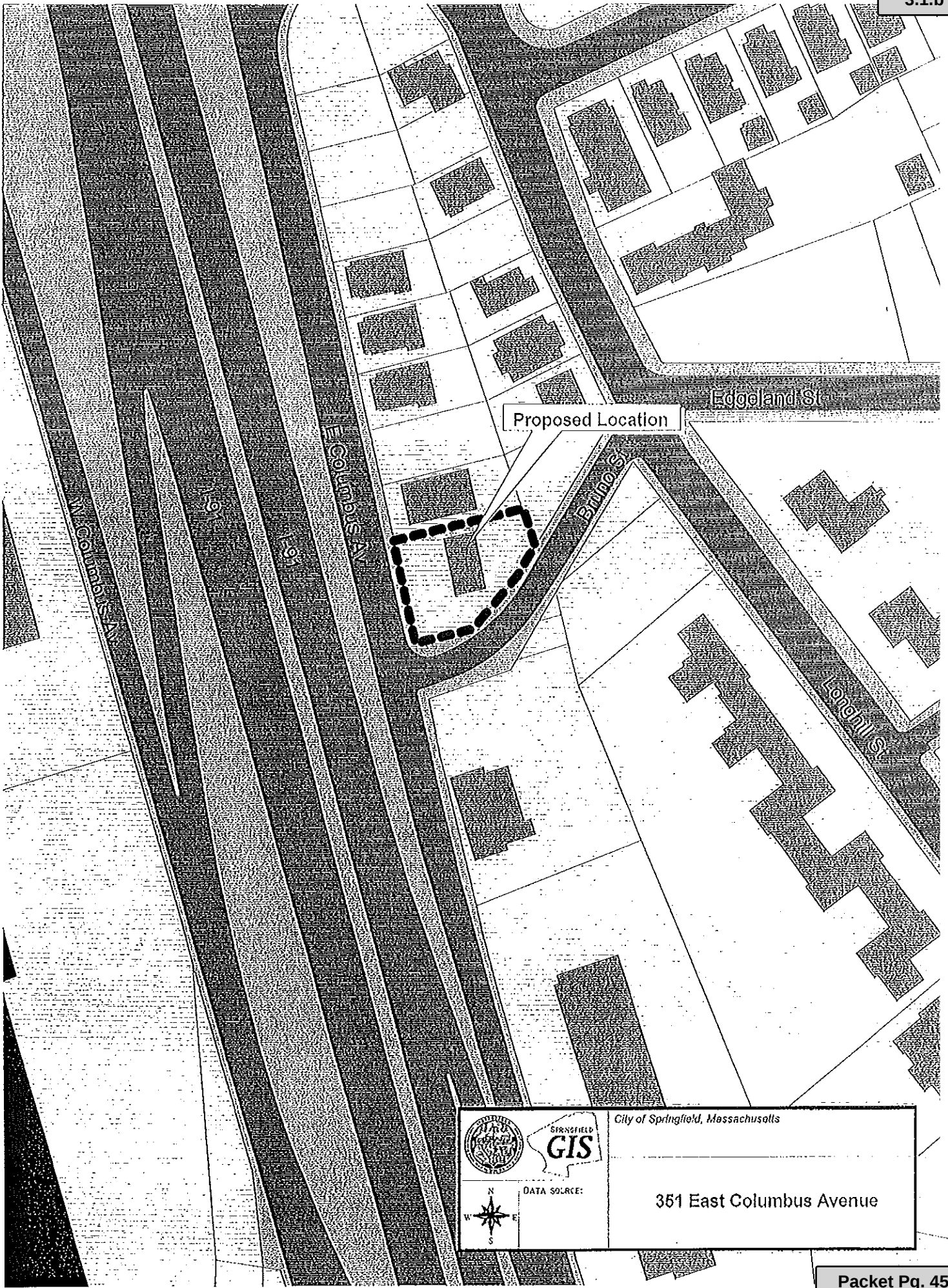
Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)



112-97

112-97

Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)



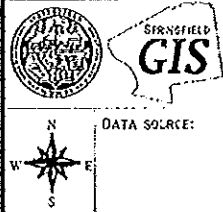
Proposed Location

Edgeland St

Longmill St

E Columbus Av

W Columbus Av



City of Springfield, Massachusetts

DATA SOURCE:

351 East Columbus Avenue

Attachment: 351 E Columbus Av (2399 : 351 East Columbus Avenue)

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 2401)**

Meeting: 11/25/13 07:00 PM
Department: Planning and Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 2401 A

**For a Special Permit to Install a Digital Non-Accessory Sign
at the Property Known as 603 East Columbus Avenue
(04303-0595), as Allowed by M.G.L. and the Springfield
Zoning Ordinance, Article 9, Section 9.9.30.**

Request:	See Above
Owner:	Balise Automotive Realty, LLL & Lamar
By:	Stephen E. Hebert & James E. Balise
Petitioner:	Lamar Central Outdoor, LLC
By:	Stephen E. Hebert

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

603 EAST COLUMBUS AVENUE (04303-0595)
ELECTRONIC SIGN (BILLBOARD)

General Information

Petitioner:	Lamar Central Outdoor, LLC.
Request:	To allow a digital billboard.
Proposed use of the property:	Billboard
Parcel Size:	167,820 s.f.
Compatibility with current planning documents:	The South End Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	South End Citizens Council: 11-1-13
Tax Status:	SEE ATTACHED
Site Visit:	11-6-13
Urban Renewal Status:	This parcel is not located within an urban renewal plan.
Hearing Date:	11-25-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Industrial A and is located in an area that has a mix of commercial uses.

- To the north is a used car dealership zoned Industrial A.
- To the south is an office complex zoned Industrial A.
- To the west are West Columbus Avenue and Interstate 91.
- To the east is an automotive dealership zoned Business B.

Site plan review:

The petitioner has requested a special permit to install a digital non-accessory (billboard) sign at the property known as 603 East Columbus Avenue. The petitioner intends to remove the existing billboard and replace it with a new 14' x 48' (672 s.f.) digital billboard.

Understanding that this new technology is being implemented around the country, the City of Springfield recently amended the Zoning Ordinance to include a new section which regulates the installation of digital billboards (Article 9, Section 9.9.30).

With regards to this specific request, as noted in the previous staff analysis there are a number of issues with this proposed request.

These issues are as follows:

Issue #1:

It has been determined that the existing non-accessory (billboard) sign, located at 603 East Columbus Avenue, is considered to be a pre-existing, non-conforming use, otherwise known as "grandfathered". This determination was made after noting that when the billboard regulations were amended back in 2002, the ordinance was amended on the floor by the City Council to specifically "grandfather" 603 East Columbus Avenue. The language in the Zoning Ordinance read:



"The ordinance was additionally amended as follows:

The application for 603 East Columbus Avenue as submitted and approved at the Code Enforcement Department shall be grandfathered. The pending application within the Code Enforcement Department for 53 Batavia Street and two (2) locations owned by Western Massachusetts Electrical Company shall continue to be processed and be decided upon by the Code Enforcement Commissioner and the Commonwealth".

The reason this site is "grandfathered" is because the City Council wanted to exempt that site from the criteria that any billboard within five hundred (500) feet of and visible from a residence is prohibited and a building containing residences (9 York Street) is within a 500 foot radius and the billboard is visible from that location. While this specific section is not in the latest ordinance, the fact that it was in place at the time of issuance for the static billboard means that the static billboard is a pre-existing, nonconforming use.

Since this site is now considered to be a pre-existing, non-conforming use, the change to a digital billboard is considered to be an alteration of that pre-existing use. As such, in addition to the special permit to convert this sign into a digital billboard, prior to allowing such an alteration of the use, an additional "finding" must be made in accordance with Article 10, Section 10.1.30 of the Springfield Zoning Ordinance. As per this section, the "finding" must determine that the alteration "...shall not be substantially more detrimental than the existing non-conforming use to the neighborhood". In the case where the request is a change to the proposed use, as in this case where the change is from a static billboard to a digital billboard, the "finding" is in the form of a Tier 3 Special Permit by the City Council.

Issue #2:

In addition to the special permit required by the City of Springfield, all billboards, either static or digital, require an additional permit from the Massachusetts Department of Transportation. With regards to billboards, both static and digital, specific state regulations are in place and found within 700CMR3.00: *Control and Restrictions of Billboards, Signs and other Advertising Devices.*

In reviewing the state regulations, it was noted that within 700CMR3.00, specifically Section 3.17(4), non-conforming and/or grandfathered signs are not eligible to be converted into digital signs. The specific language reads:

"700CMR3.17(4): A legally conforming sign may be modified to an Electronic Sign if a new permit for the Electronic Sign is obtained by the Department. Non-conforming and/or Grandfathered signs shall not be eligible for electronic sign conversion."

In the opinion of the Planning Staff, this section would apply to the 603 East Columbus Avenue location and this sign would not be eligible for a conversion to a digital billboard under the state regulations.

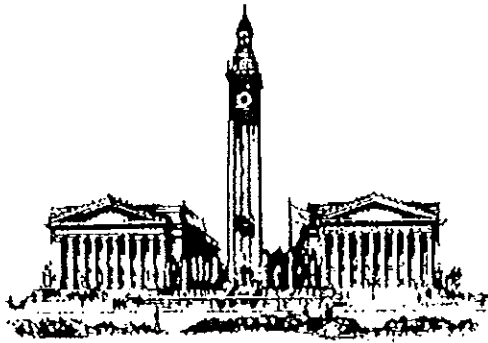
Recommendation

Deny. Due to the fact that this sign would be in violation of 700CMR3.00: *Control and Restrictions of Billboards, Signs and Other Advertising Devices*, the staff does not believe a special permit should be issued for this location.

IF APPROVED: Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the installation of one (1) digital, non-accessory sign at the property known as 603 East Columbus Avenue (04303-0595).
3. The use shall be developed as per the attached site plan and elevations, dated July 15, 2012 with the addition of conditions #4 through #6.
4. An additional special permit for the alteration of a non-conforming structure or use (Article 10, Section 10.1.30) shall be issued prior to the issuance of a sign permit.
5. A permit from the Massachusetts Department of Transportation shall be submitted to the Building Department prior to the issuance of a sign permit.
6. The proposed sign shall meet all the underlying regulations as per Article 9, Section 9.9.30 of the Springfield Zoning Ordinance and the regulations outlined in the Massachusetts Department of Transportation, 700 CMR 3.00: Control and Restrictions of Billboards, Signs and Other Advertising Devices, as amended.
7. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

11/1/13

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: 603 East Columbus Avenue - 04303-0595

Petitioner: Stephen E Hebert

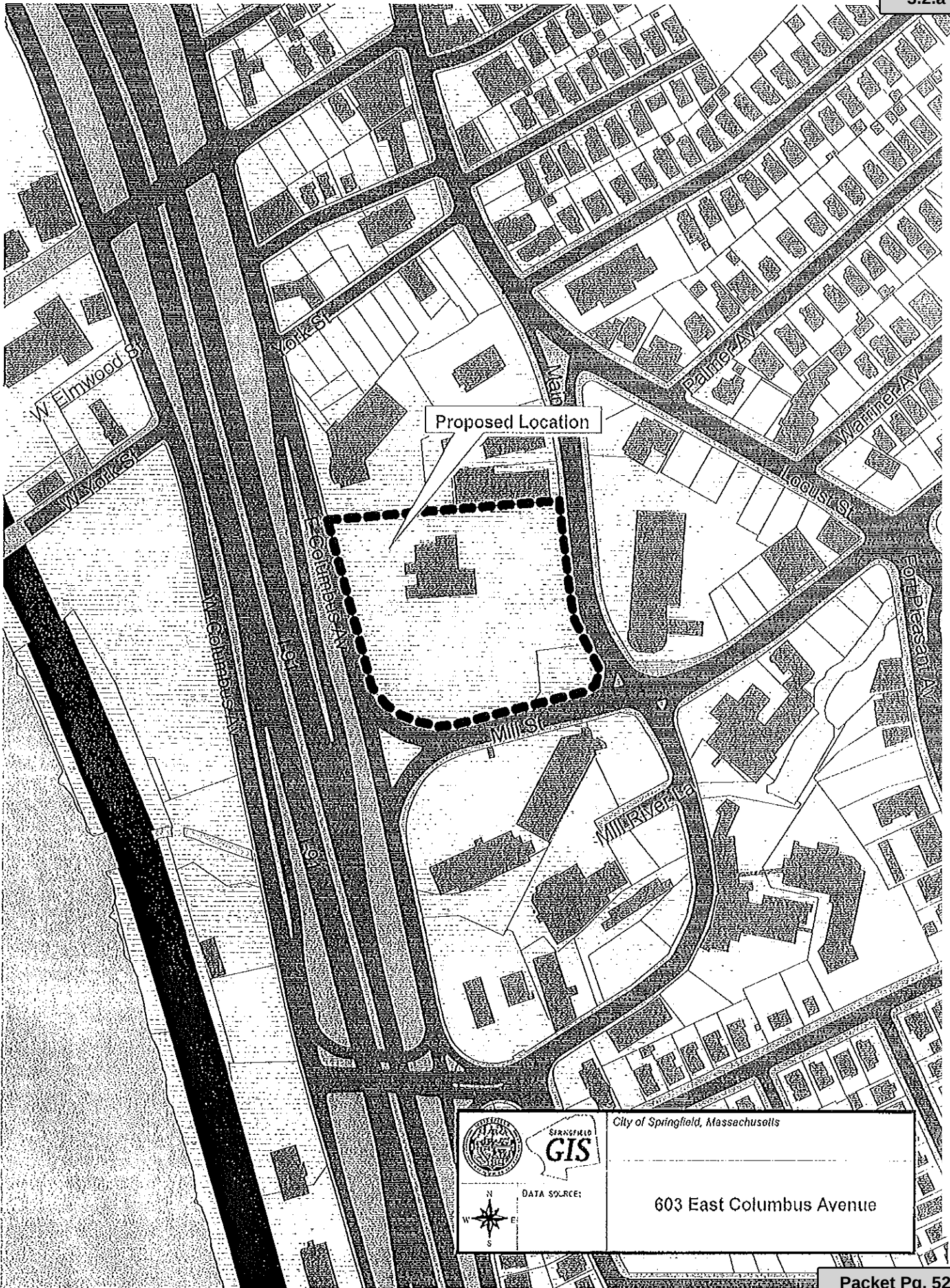
Landlord: Balise Automotive Realty Limited

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

Stephen J. Loneragan: Treasurer/Collector

Attachment: 603 E Columbus Av (2401 : 603 E Columbus Avenue)





Attachment: 603 E Columbus Av (2401 : 603 E Columbus Avenue)

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

603 EAST COLUMBUS AVENUE (04303-0595)
ELECTRONIC SIGN (BILLBOARD)

General Information

Petitioner:	Lamar Central Outdoor, LLC.
Request:	To allow a digital billboard.
Proposed use of the property:	Billboard
Parcel Size:	167,820 s.f.
Compatibility with current planning documents:	The South End Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	South End Citizens Council: 11-1-13
Tax Status:	SEE ATTACHED
Site Visit:	11-6-13
Urban Renewal Status:	This parcel is not located within an urban renewal plan.
Hearing Date:	11-25-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Industrial A and is located in an area that has a mix of commercial uses.

- To the north is a used car dealership zoned Industrial A.
- To the south is an office complex zoned Industrial A.
- To the west are West Columbus Avenue and Interstate 91.
- To the east is an automotive dealership zoned Business B.

Site plan review:

The petitioner has requested a special permit to install a digital non-accessory (billboard) sign at the property known as 603 East Columbus Avenue. The petitioner intends to remove the existing billboard and replace it with a new 14' x 48' (672 s.f.) digital billboard.

Understanding that this new technology is being implemented around the country, the City of Springfield recently amended the Zoning Ordinance to include a new section which regulates the installation of digital billboards (Article 9, Section 9.9.30).

With regards to this specific request, as noted in the previous staff analysis there are a number of issues with this proposed request.

These issues are as follows:

Issue #1:

It has been determined that the existing non-accessory (billboard) sign, located at 603 East Columbus Avenue, is considered to be a pre-existing, non-conforming use, otherwise known as "grandfathered". This determination was made after noting that when the billboard regulations were amended back in 2002, the ordinance was amended on the floor by the City Council to specifically "grandfather" 603 East Columbus Avenue. The language in the Zoning Ordinance read:



"The ordinance was additionally amended as follows:

The application for 603 East Columbus Avenue as submitted and approved at the Code Enforcement Department shall be grandfathered. The pending application within the Code Enforcement Department for 53 Batavia Street and two (2) locations owned by Western Massachusetts Electrical Company shall continue to be processed and be decided upon by the Code Enforcement Commissioner and the Commonwealth".

The reason this site is "grandfathered" is because the City Council wanted to exempt that site from the criteria that any billboard within five hundred (500) feet of and visible from a residence is prohibited and a building containing residences (9 York Street) is within a 500 foot radius and the billboard is visible from that location. While this specific section is not in the latest ordinance, the fact that it was in place at the time of issuance for the static billboard means that the static billboard is a pre-existing, nonconforming use.

Since this site is now considered to be a pre-existing, non-conforming use, the change to a digital billboard is considered to be an alteration of that pre-existing use. As such, in addition to the special permit to convert this sign into a digital billboard, prior to allowing such an alteration of the use, an additional "finding" must be made in accordance with Article 10, Section 10.1.30 of the Springfield Zoning Ordinance. As per this section, the "finding" must determine that the alteration "...shall not be substantially more detrimental than the existing non-conforming use to the neighborhood". In the case where the request is a change to the proposed use, as in this case where the change is from a static billboard to a digital billboard, the "finding" is in the form of a Tier 3 Special Permit by the City Council.

Issue #2:

In addition to the special permit required by the City of Springfield, all billboards, either static or digital, require an additional permit from the Massachusetts Department of Transportation. With regards to billboards, both static and digital, specific state regulations are in place and found within 700CMR3.00: *Control and Restrictions of Billboards, Signs and other Advertising Devices.*

In reviewing the state regulations, it was noted that within 700CMR3.00, specifically Section 3.17(4), non-conforming and/or grandfathered signs are not eligible to be converted into digital signs. The specific language reads:

"700CMR3.17(4): A legally conforming sign may be modified to an Electronic Sign if a new permit for the Electronic Sign is obtained by the Department. Non-conforming and/or Grandfathered signs shall not be eligible for electronic sign conversion."

In the opinion of the Planning Staff, this section would apply to the 603 East Columbus Avenue location and this sign would not be eligible for a conversion to a digital billboard under the state regulations.

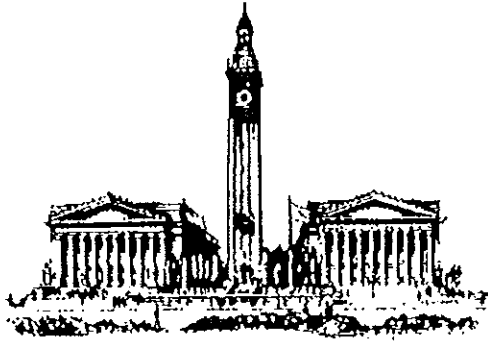
Recommendation

Deny. Due to the fact that this sign would be in violation of 700CMR3.00: *Control and Restrictions of Billboards, Signs and Other Advertising Devices*, the staff does not believe a special permit should be issued for this location.

IF APPROVED: Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the installation of one (1) digital, non-accessory sign at the property known as 603 East Columbus Avenue (04303-0595).
3. The use shall be developed as per the attached site plan and elevations, dated July 15, 2012 with the addition of conditions #4 through #6.
4. An additional special permit for the alteration of a non-conforming structure or use (Article 10, Section 10.1.30) shall be issued prior to the issuance of a sign permit.
5. A permit from the Massachusetts Department of Transportation shall be submitted to the Building Department prior to the issuance of a sign permit.
6. The proposed sign shall meet all the underlying regulations as per Article 9, Section 9.9.30 of the Springfield Zoning Ordinance and the regulations outlined in the Massachusetts Department of Transportation, 700 CMR 3.00: Control and Restrictions of Billboards, Signs and Other Advertising Devices, as amended.
7. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

11/1/13

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: 603 East Columbus Avenue - 04303-0595

Petitioner: Stephen E Hebert

Landlord: Balise Automotive Realty Limited

A handwritten signature in cursive script, appearing to read "Stephen J. Loneragan", is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: 603 E Columbus Av (2401 : 603 E Columbus Avenue)



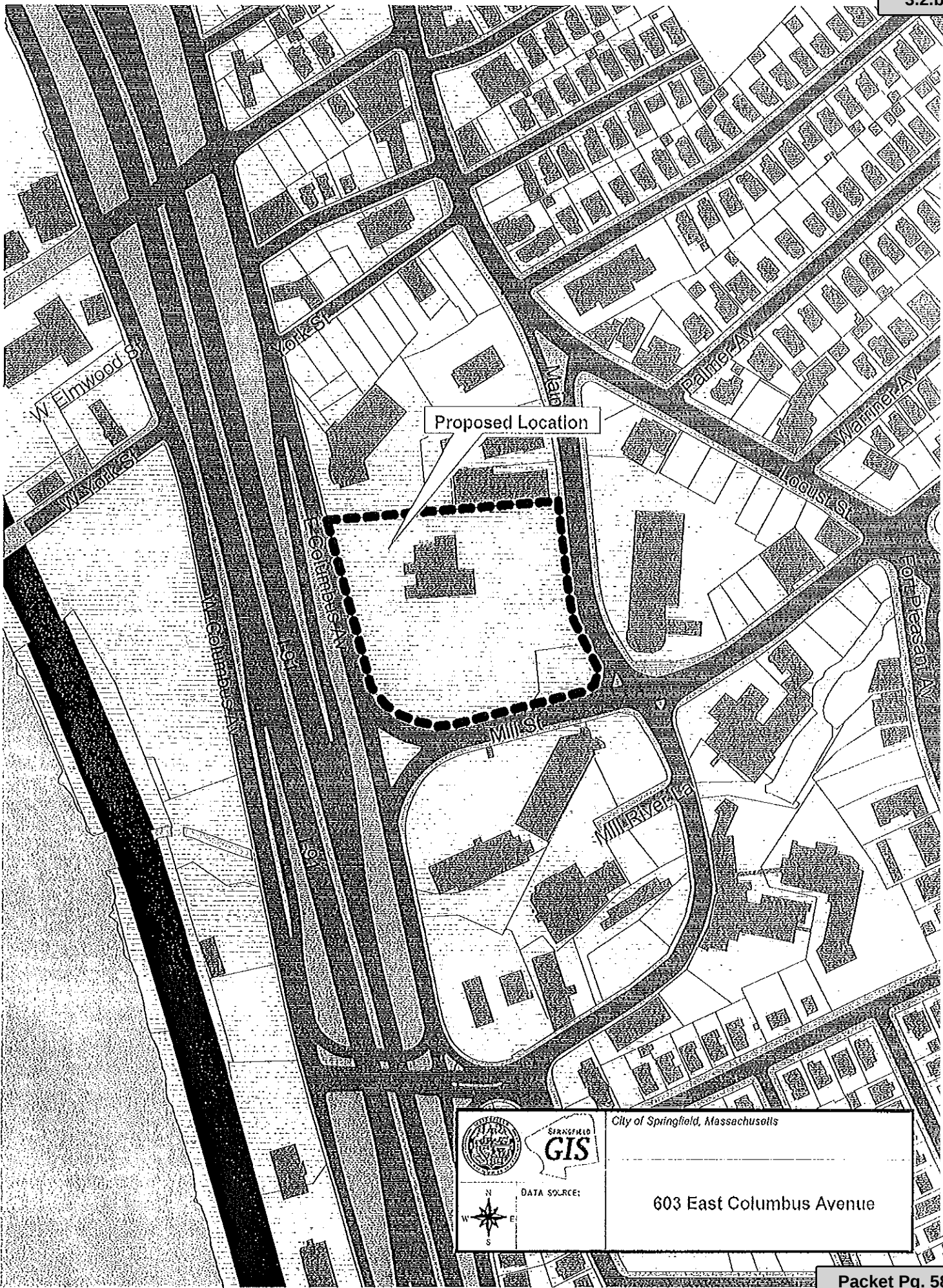
W Elmwood St
W York St
W Columbus Ave
W Main St
W Palmer Ave
W Warner Ave
W Locust St
W Pleasant Ave
W Mill St
W Mill River Ln

Proposed Location

City of Springfield, Massachusetts

603 East Columbus Avenue

Packet Pg. 5



W Elmwood St
W York St
W Columbus Ave
W Main St
W Palmer Ave
W Warner Ave
W Locust St
W Pleasant Ave
W Mill St
W Mill River Ln

Proposed Location

City of Springfield, Massachusetts

603 East Columbus Avenue

Packet Pg. 5

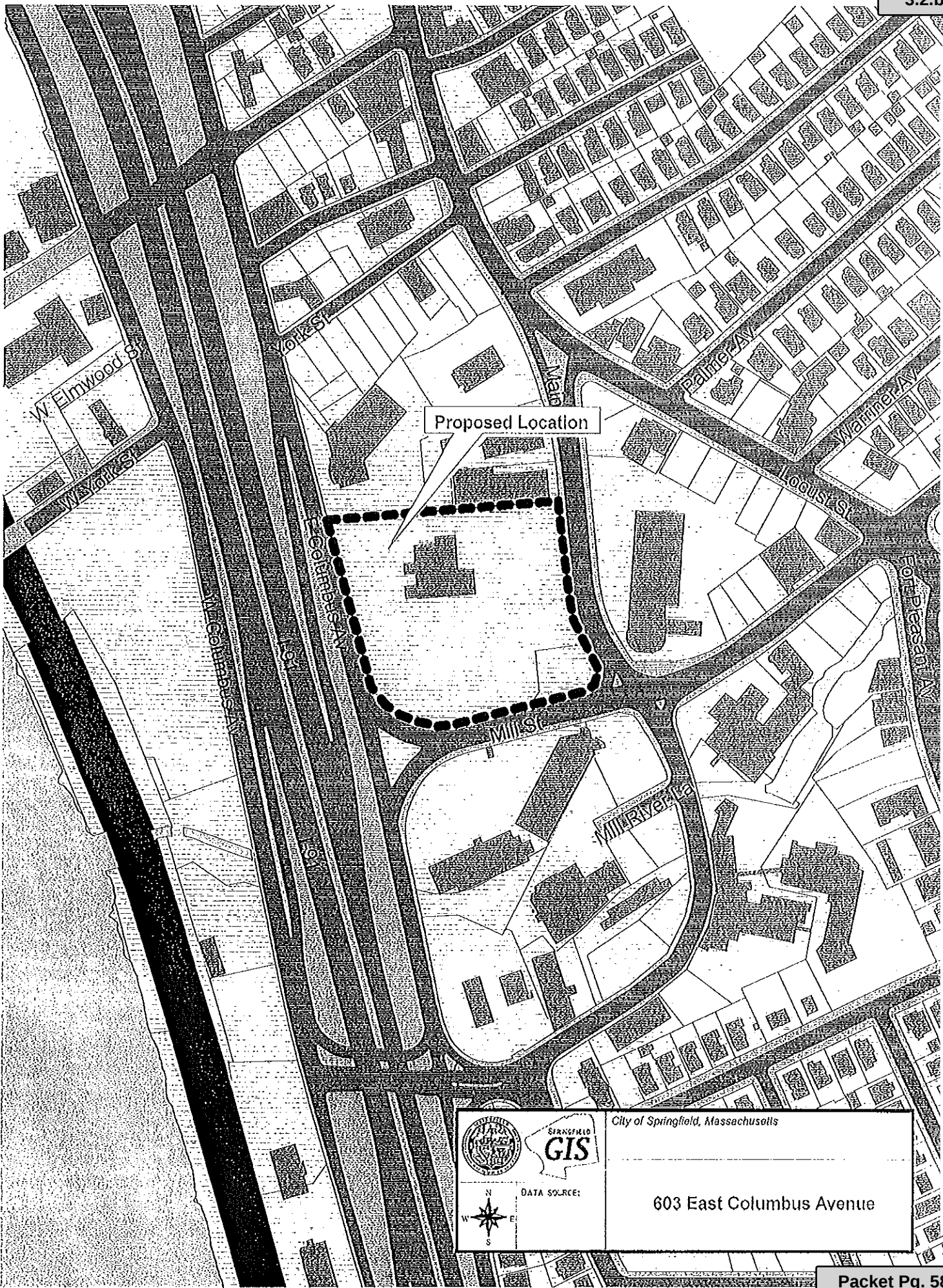
W Elmwood St
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Proposed Location

City of Springfield, Massachusetts

603 East Columbus Avenue

Packet Pg. 5



W Elmwood St
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W Columbus Ave
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W Mill St
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Proposed Location

City of Springfield, Massachusetts

603 East Columbus Avenue

Packet Pg. 5

W Elmwood St
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W Palmer Ave
W Warner Ave
W Locust St
W Pleasant Ave
W Mill St
W Mill River Ln

Proposed Location

City of Springfield, Massachusetts

603 East Columbus Avenue

Packet Pg. 5

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 2402)**

Meeting: 11/25/13 07:00 PM
Department: Planning and Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 2402 A

**For a Special Permit to Install a Digital, Non-Accessory Sign,
at the Property Known as 6 Liberty Street (07770-0001), as
Allowed by M.G.L. and the Springfield Zoning Ordinance,
Article 9, Section 9.9.30.**

Request:	See Above
Owner:	6 Liberty Street, LLC
By:	Hansraj Gada
Petitioner:	Lamar Central Outdoor, LLC
By:	Stephen E. Hebert

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

6 LIBERTY STREET (07770-0001)
DIGITAL NON-ACCESSORY SIGN (BILLBOARD)

General Information

Petitioner:	Lamar Central Outdoor, LLC.
Request:	To allow a digital billboard.
Proposed use of the property:	Billboard
Parcel Size:	24,142 s.f.
Neighborhood council Notification:	Business Improvement District: 11-1-13
Tax Status:	SEE ATTACHED
Site Visit:	11-6-13
Urban Renewal Status:	This parcel is not located within an urban renewal plan.
Hearing Date:	11-25-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business B and is located in an area that has a mix of commercial and industrial uses.

To the north is a warehouse zoned Business B.

To the south is the Peter Pan Bus maintenance operation zoned Industrial A.

To the west is Interstate 91.

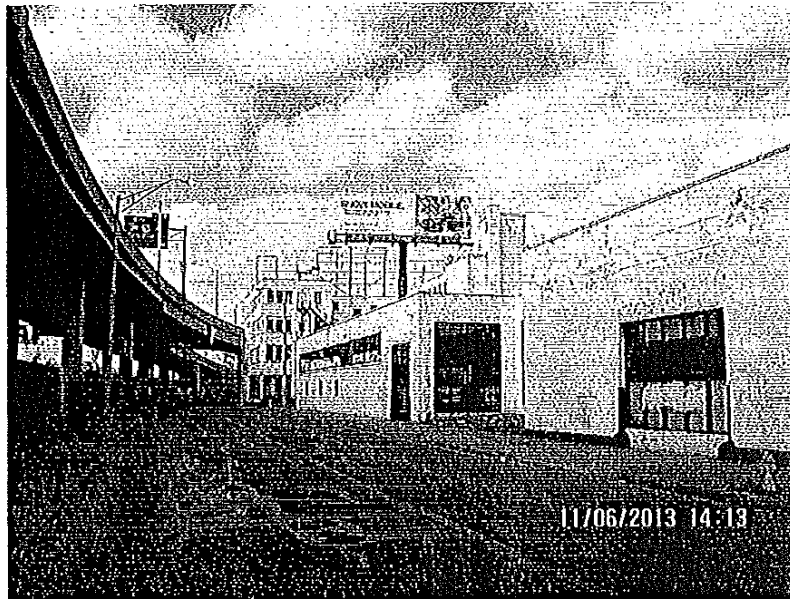
To the east is the Republican Newspaper zoned Industrial A.

Site plan review:

The petitioner has requested a special permit to install a digital non-accessory (billboard) sign at the property known as 6 Liberty Street. The petitioner intends to remove the existing billboard and replace it with a new 14' x 48' (672 s.f.) digital billboard.

Understanding that this new technology is being implemented around the country, the City of Springfield recently amended the Zoning Ordinance to include a new section which regulates the installation of digital billboards (Article 9, Section 9.9.30).

As noted in the previous analysis for this proposed request, during the drafting of these new digital billboard regulations, the staff reviewed other city policies to see how this issue of digital billboards has been handled in other communities. After completing this review, the staff found that in many communities, a requirement has been put into place which requires billboard companies to remove a number of existing billboards for each digital billboard installed. An example of this is in Marietta, Georgia. This community has implemented a new ordinance that requires billboard companies to remove four (4) existing billboard panels for every one (1) digital billboard installed. However, after meeting with representatives of Lamar, it was determined that a number of billboards have already been removed over the last few years. These include smaller billboards as well as the larger highway signs. While the staff will always continue to advocate for the continued removal of billboards throughout Springfield, especially along the I-91 corridor, the staff does believe that credit should be given to Lamar for the number of billboards already removed.



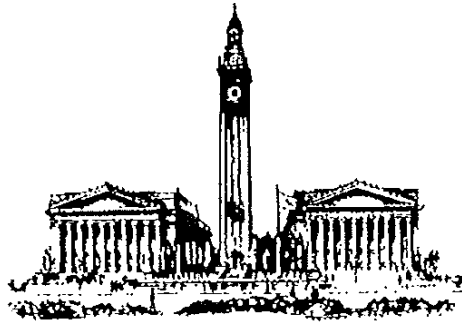
Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the installation of one (1) digital, non-accessory sign at the property known as 6 Liberty Street (07770-0001).
3. The use shall be developed as per the attached site plan and elevations, with the addition of conditions #4 and #5.
4. The proposed sign shall meet all underlying regulations as outlined in Article 9, Section 9.9.30 of the Springfield Zoning Ordinance and the regulations outlined in the Massachusetts Department of Transportation, 700 CMR 3.00: Control and Restrictions of Billboards, Signs and Other Advertising Devices, as amended.
5. A sign permit shall be obtained through the Springfield Building Department and the Massachusetts Department of Transportation prior to installation.
6. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

11/1/13

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: 6 Liberty Street - 07770-0001

Petitioner: Stephen E Hebert

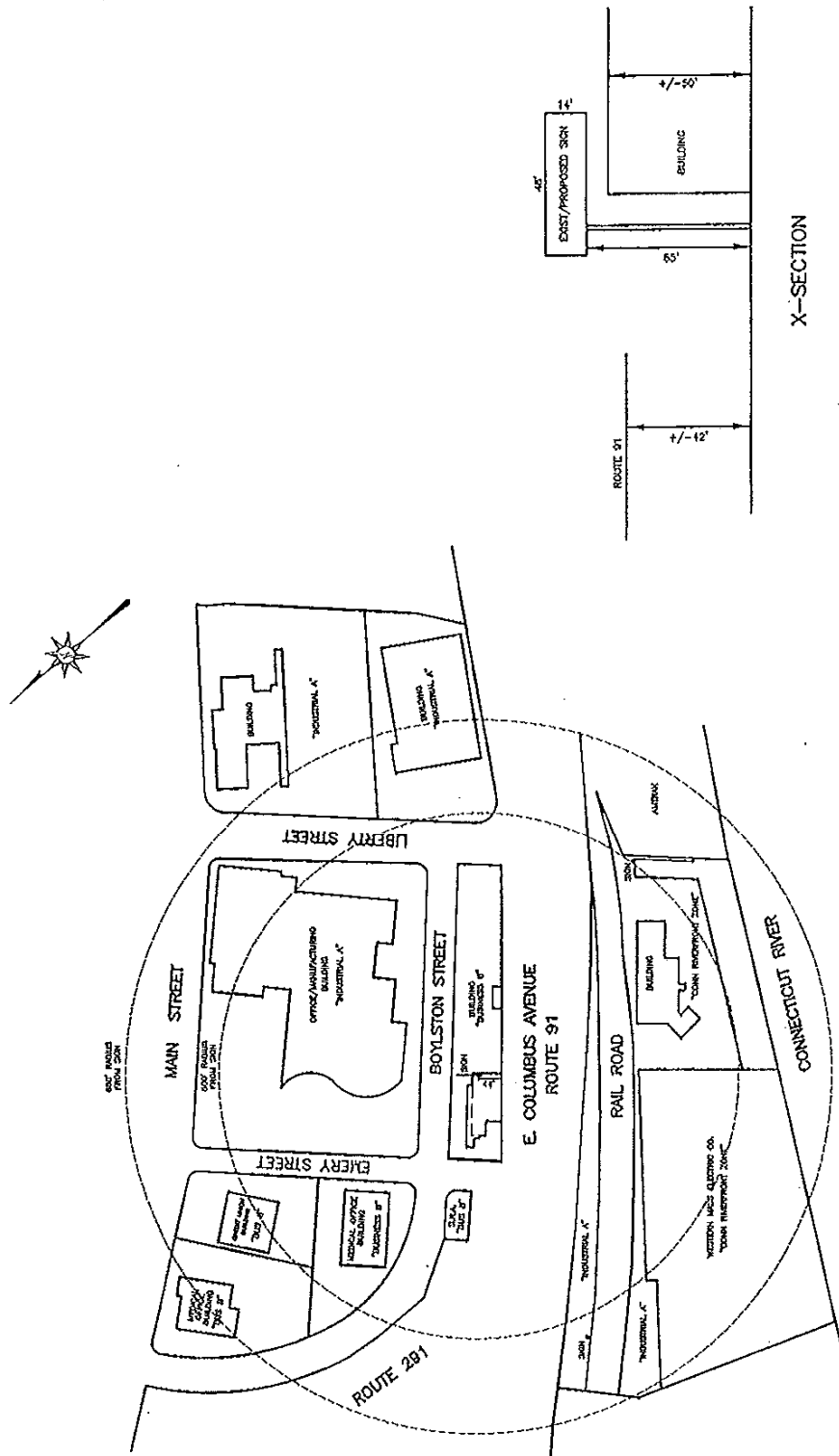
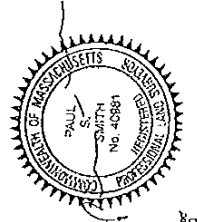
Landlord: 6 Liberty Street, LLC

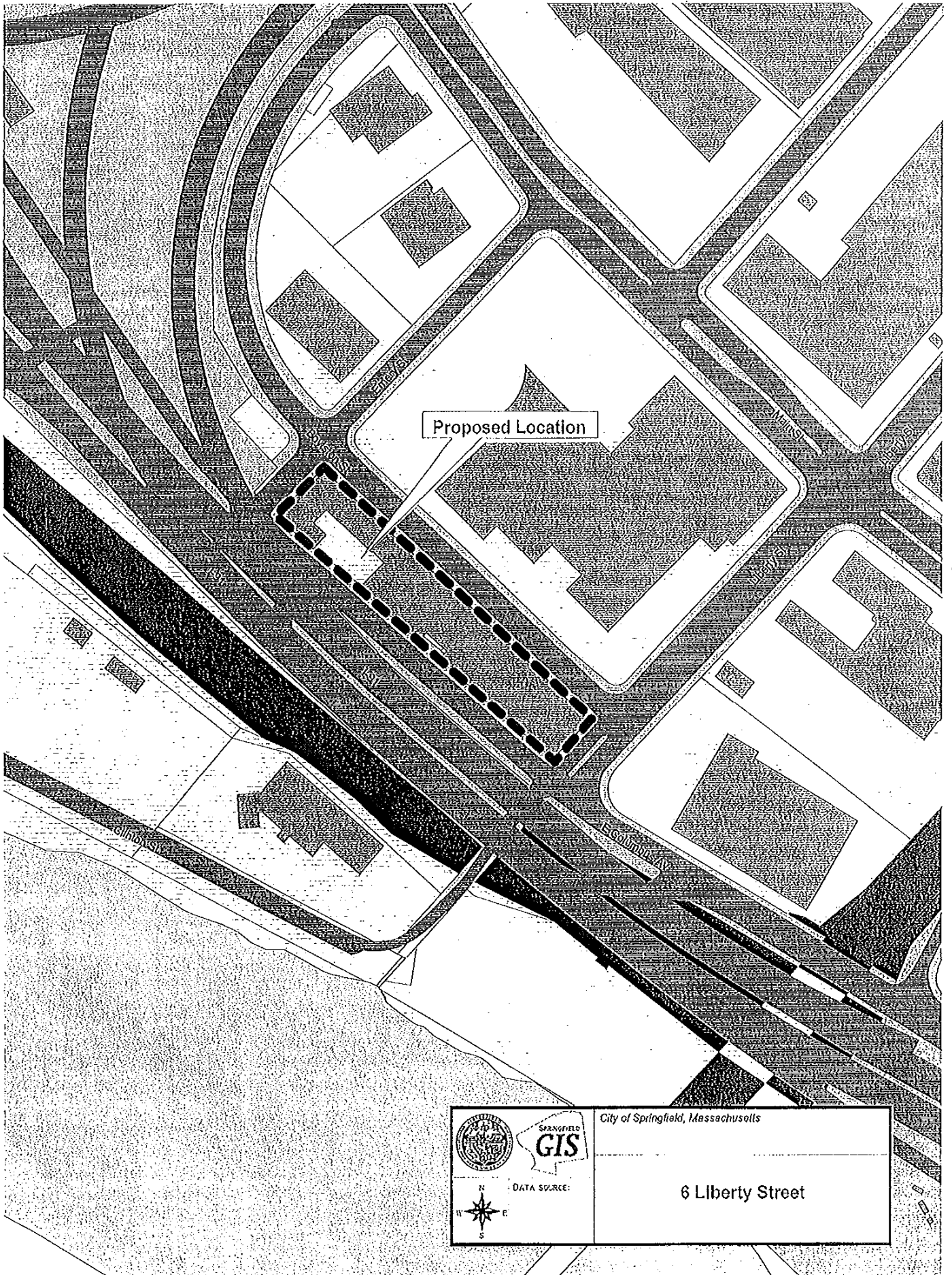
Stephen J. Lonergan: Treasurer/Collector

Attachment: 6 Liberty St [Revision 1] (2402 : 6 Liberty Street)

PROPERTY OWNERS & LESSEES SURVEY, LLC

DATE: OCTOBER 28, 2012 SCALE: 1"=100'
PAUL S. SMITH LAND SURVEYING
319 SHAWER ROAD EAST LONGMEADOW, MA
(413) 525-4700





OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

6 LIBERTY STREET (07770-0001)
DIGITAL NON-ACCESSORY SIGN (BILLBOARD)

General Information

Petitioner:	Lamar Central Outdoor, LLC.
Request:	To allow a digital billboard.
Proposed use of the property:	Billboard
Parcel Size:	24,142 s.f.
Neighborhood council Notification:	Business Improvement District: 11-1-13
Tax Status:	SEE ATTACHED
Site Visit:	11-6-13
Urban Renewal Status:	This parcel is not located within an urban renewal plan.
Heating Date:	11-25-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business B and is located in an area that has a mix of commercial and industrial uses.

To the north is a warehouse zoned Business B.

To the south is the Peter Pan Bus maintenance operation zoned Industrial A.

To the west is Interstate 91.

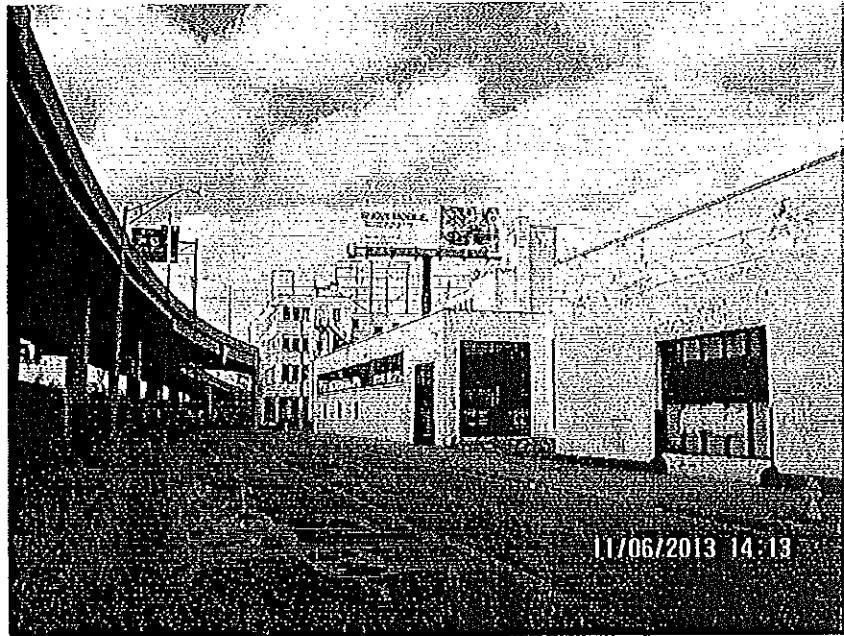
To the east is the Republican Newspaper zoned Industrial A.

Site plan review:

The petitioner has requested a special permit to install a digital non-accessory (billboard) sign at the property known as 6 Liberty Street. The petitioner intends to remove the existing billboard and replace it with a new 14' x 48' (672 s.f.) digital billboard.

Understanding that this new technology is being implemented around the country, the City of Springfield recently amended the Zoning Ordinance to include a new section which regulates the installation of digital billboards (Article 9, Section 9.9.30).

As noted in the previous analysis for this proposed request, during the drafting of these new digital billboard regulations, the staff reviewed other city policies to see how this issue of digital billboards has been handled in other communities. After completing this review, the staff found that in many communities, a requirement has been put into place which requires billboard companies to remove a number of existing billboards for each digital billboard installed. An example of this is in Marietta, Georgia. This community has implemented a new ordinance that requires billboard companies to remove four (4)



existing billboard panels for every one (1) digital billboard installed. However, after meeting with representatives of Lamar, it was determined that a number of billboards have already been removed over the last few years. These include smaller billboards as well as the larger highway signs. While the staff will always continue to advocate for the continued removal of billboards throughout Springfield, especially along the I-91 corridor, the staff does believe that credit should be given to Lamar for the number of billboards already removed.

Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the installation of one (1) digital, non-accessory sign at the property known as 6 Liberty Street (07770-0001).
3. The use shall be developed as per the attached site plan and elevations, with the addition of conditions #4 and #5.
4. The proposed sign shall meet all underlying regulations as outlined in Article 9, Section 9.9.30 of the Springfield Zoning Ordinance and the regulations outlined in the Massachusetts Department of Transportation, 700 CMR 3.00: Control and Restrictions of Billboards, Signs and Other Advertising Devices, as amended.
5. A sign permit shall be obtained through the Springfield Building Department and the Massachusetts Department of Transportation prior to installation.
6. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

11/1/13

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: 6 Liberty Street - 07770-0001

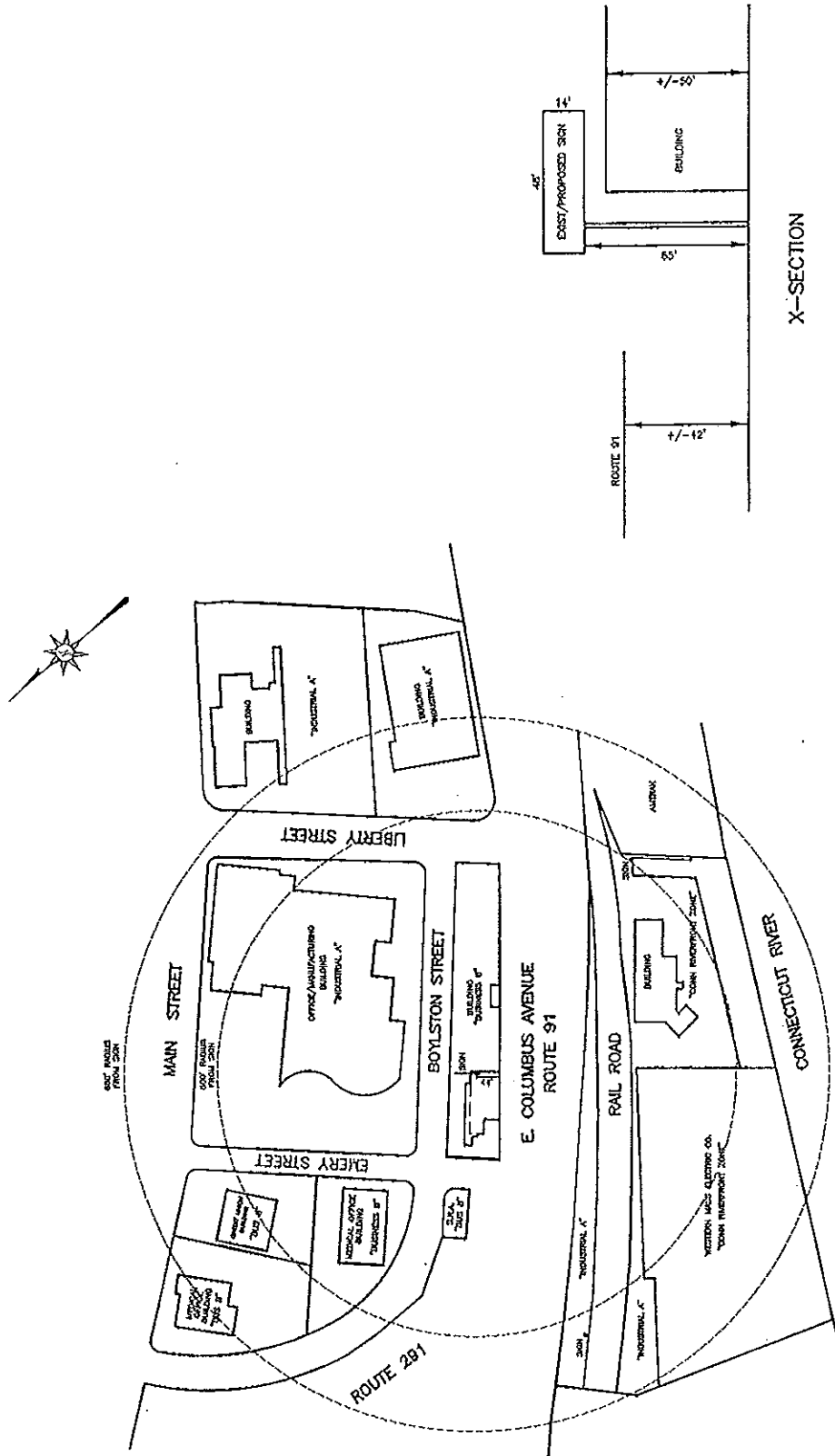
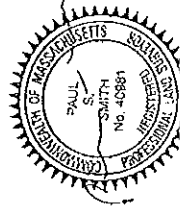
Petitioner: Stephen E Hebert

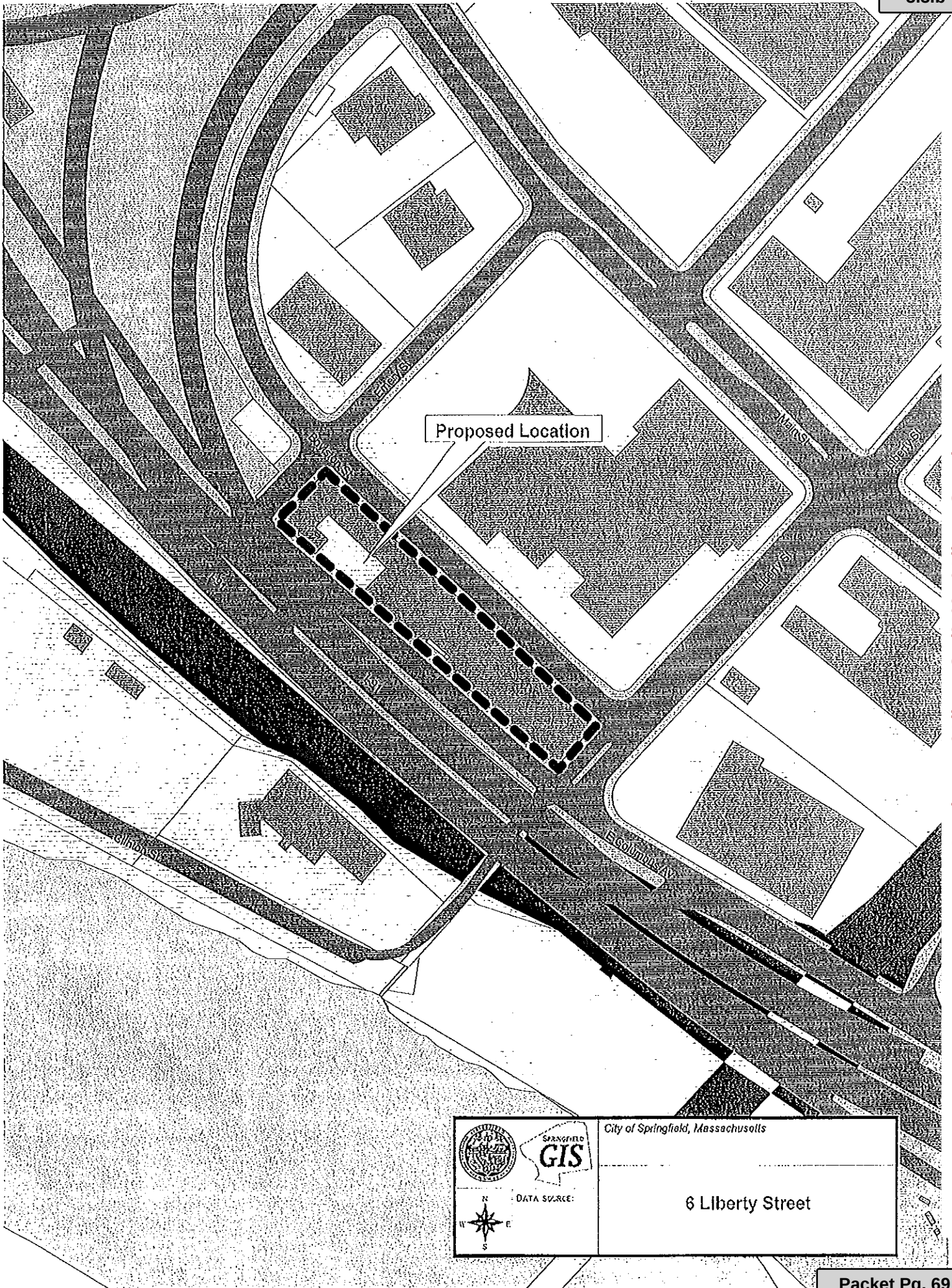
Landlord: 6 Liberty Street, LLC

Stephen J. Loneragan: Treasurer/Collector

Attachment: 6 Liberty St (2402 : 6 Liberty Street)

SIGN REPLACEMENT PLAN
55 EMERY STREET
SPRINGFIELD, MA
PREPARED FOR LAMAR ADVERTISING
PROPERTY OWNED BY LAMAR STREET, LLC
DATE: OCTOBER 24, 2012 SCALE: 1"=10'
PAUL C. SMITH LAND SURVEYOR, INC.





Attachment: 6 Liberty St (2402 : 6 Liberty Street)

 Springfield GIS	City of Springfield, Massachusetts
	6 Liberty Street

DATA SOURCE:

N
W
E
S

Supplemental Review: 6 Liberty Street

On Friday, November 22, 2013, the staff received an email regarding the proposed request for a change of a static billboard to a digital billboard at the property known as 6 Liberty Street which will be heard by the City Council on November 25, 2013.

The email submitted, along with a letter and survey from Heritage Survey's (see attached), indicates that the existing billboard located at 6 Liberty Street is actually within five hundred (500) feet another billboard located on the westerly side of Interstate 91 and therefore in violation of the Springfield Zoning Ordinance. As per the Springfield Zoning Ordinance, a non-accessory sign (billboard) "...shall not be located within a five hundred (500) foot radius of an existing non-accessory sign" (Article 9, Section 9.9.22.C).

However, after reviewing the current Zoning Regulations, there is some discrepancy as to how this radius measurement is to be conducted. As can be seen in the attached letter, the measurements change depending on if the measurements of the sign are taken from sign pole to sign pole or from sign edge to sign edge. Due to this discrepancy, the staff has requested that the Law Department review this issue and provide a legal determination.

Due to the request, the staff is recommending that the November 25, 2013 hearing regarding 6 Liberty Street be CONTINUED until this issue can be adequately addressed.

HERITAGE SURVEYS, INC.

Professional Surveyors and Engineers
241 College Hwy & Clark St, P O Box 1
Southampton, Massachusetts 01073-0001

Bruce A. Coombs, President
Professional Surveyor, MA, CT & VT
E-mail: peter@heritagesurveys.com

Telephone (413) 527-3600
Facsimile (413) 527-8280
Website: heritagesurveys.com

July 12, 2013

John Gormally
11 Powers Drive
Wilbraham, MA 01095

Re: Billboard locations
I-91 corridor
Springfield, MA

Dear John:

This letter is in response to your request for dimensions between two billboards on either side of Route I-91 in Springfield, MA.

Billboard E is a south facing billboard off of East Columbus Avenue, approximately 400' north of Liberty Street, on the easterly side of Route I-91.

Billboard W consists of two billboards, facing north and south, on the westerly side of Route I-91 opposite the end of Liberty Street.

Both Billboard E & W are monopole structures.

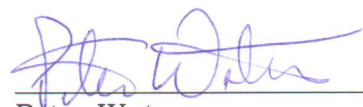
The distance between the southwesterly corner of Billboard E and the northeasterly corner of Billboard W is 468.1 feet

The distance between the centers of the two monopoles is 502.5 feet.

These dimensions are based upon field survey measurements

Please contact this office if there should be any questions relative to the above.

Sincerely,



Peter Watson
Director of Survey
Heritage Surveys, Inc.

Attachment: billboards (2402 : 6 Liberty Street)

