



City of Springfield

Hearings Meeting

~ Draft ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Monday, March 31, 2014

7:00 PM

Springfield City Hall -- Council Chambers

I. Hearings

7:00 PM Meeting called to order on March 31, 2014 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Zaida Luna	Ward 1 Councilor	Present	
Clodo Concepcion	Ward 5 Councilor	Absent	
E. Henry Twiggs	Ward 4 Councilor	Present	
Kenneth E. Shea	Ward 6 Councilor	Present	
Kateri B. Walsh	Vice President - At-Large Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Bud L. Williams	At-Large Councilor	Present	
Orlando Ramos	Ward 8 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Justin Hurst	At Large Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
Michael A. Fenton	President - Ward 2 Councilor	Present	

II. Special Permits

1. Petition (ID # 2552)

For a Special Permit for the Exterior Renovation of a Structure(S) Totaling More Than One Thousand (1,000) Square Feet at the Property Known as 449 Sumner Avenue (11280-0419) in Accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31.A (Neighborhood Commercial Design Overlay District) and M.G.L.

Request: See Above
Owner: RF Realty Company, LLC
By: Britt Adornato
Petitioner: RF Realty Company, LLC
By: Britt Adornato

COMMENTS - Current Meeting:

Hearing held at which the Petitioner RF Realty Company, LLC failed to appear and Patricia Triggs appeared on behalf of Forest Park Civic Association stating that the permit is for exterior renovation to the building located at 449 Sumner Avenue for eye care office and MertoPCS cellular phone office and is a welcome addition to Forest Park. However since neither the Petitioner nor his agent appeared and Council President Fenton asked that the matter be tabled and a motion was made by Councilor Rooke and seconded by Councilor Williams that the Petition be laid on the table and the hearing was not closed and said motion passed by a majority

voice vote with Councilor Concepcion absent.**ATTACHMENTS:**

- Sumner_Ave_449_Overlay_Tax_Formal (PDF)
- Sumner_Ave_449_2014 (PDF)

RESULT: LAY ON TABLE**Next: 4/28/2014 7:00 PM****Motion To:** A. Motion to Lay on the Table**COMMENTS - Current Meeting:**

Councilor Rooke made a motion to lay on the table and was seconded by Councilor Williams and said motion passed by a majority voice vote with Councilor Concepcion absent.

RESULT: ADOPTED VOICE**2. Petition (ID # 2553)**

For a Special Permit to Operate a Drive-Up Service Window at the Properties Known as 572 Belmont Avenue (01235-0108), 582 Belmont Avenue (01235-0107) and 453 Dickinson Street (03910-0453) in Accordance with the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1.3 and M.G.L.

Request:	See Above
Owner:	Salmar Realty, LLC
By:	Peter Martins
Petitioner:	Salmar Realty, LLC
By:	Peter Martins

COMMENTS - Current Meeting:

Hearing held at which Paul Caron, Peter Martins, John Salmar, and Gary Wyman, PE appeared on behalf of Salmar Realty, LCC the Petitioner and Patricia Triggs appeared on behalf of Forest Park Civic Association all spoke in favor stating that the Petitioner is requesting 2 special permits (1) for the installation of a drive-up window and (2) is to for the demolition 3 buildings within the Neighborhood Commercial Design Overlay District to construct a new 2,340 square foot Dunkin Donuts and with a drive-up window, pedestrian access, outdoor and expended indoor seating and improved curb cuts for ingress and egress with construction value of \$1.9 million. Ms. Triggs stated that not all members Civic Association is in favor but more than a majority member voted to support the project. Shawn Rairigh an urban planner appeared in opposition stating that the matter should be tabled until the variance applications has be heard and that he is not opposed to the project in whole just opposed to the drive-up window and see issues with traffic patterns on Belmont Avenue and Dickerson Street, demolition of 3 buildings, noise to apartment near-by and non personable status a drive-up window brings. Ken Dolder also appeared in opposition stating that his opposition is to the drive-up window and not to the whole project as it is located too close to the X center and streets and will create a "bottle neck" at the X and that UMass is doing a study of the X and we should wait for that report. Tony Taylor also appeared in opposition stating he wanted the Council to check to labor record and as Dunkin Donuts is opposed to a "living wage" and pays minimum wages and he wanted the permit tabled until he has an opportunity to meet with the Petitioner. In rebuttal Paul Caron, Peter Martins and Gary Wyman, PE appeared to the rebut the issue

of traffic, curb cut and said current shop is too small and has no bathroom and with the renovations seating will go from 12 seats to 38 seats and with respects to wages they paid minimum to executive salary and curb cuts will be an improvement to the X. Patricia Triggs stated that Civic Association is not in favor of drive-up windows but has fought and lost that battle in the past. Tony Taylor a representative of AFL-CIO appeared in rebuttal to the Petitioner and spoke in favor of living wage not minimum wages and the matter should be tabled. Ken Dolder appeared in rebuttal to the Petitioner stating that the drive-up will increase traffic at the X. Shawn Rairigh appeared in rebuttal to Petitioner stating that drive-up window is not in compliance with the overly district and the hearing was closed. Councilor Allen asked Phi Dromey, Deputy Director of Planning to address the issue of drive-up window and Mr. Dromey said the overly district does not prohibit drive-up windows but look at how they are designed and this building is pedestrian friendly, has green space and DPW reviewed the traffic design and approved the curb cut and traffic flow and there is a condition in the special permit that says that the variances must be granted or the permit is null and void. Councilors Shea, Williams, Walsh, Twiggs, Ramos and Rooke expressed support for the project citing approval of traffic flow by DPW and the demolition of 3 buildings would be improvement of the blighted buildings and shown how business, a neighborhood and the City can work together although Councilor Williams and Ramos expressed concerns about the labor issues. Councilor Concepcion although absent called in to say he was in favor of the project. Councilor Rooke made a motion to strike condition #6 in both of the special permits and was seconded by Councilor Shea and said motion passed by a majority voice vote with Councilor Walsh saying no and Councilor Concepcion absent and the Special Permit as amended was granted by the following roll call vote.

ATTACHMENTS:

- Belmont_Ave_572_Drive_Up_Tax_Formal (PDF)
- Belmont_Ave_572_2014 (PDF)

RESULT:	ADOPTED AS AMENDED [12 TO 0]
MOVER:	Kenneth E. Shea, Ward 6 Councilor
SECONDER:	Timothy J. Rooke, At-Large Councilor
AYES:	Luna, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Allen, Hurst, Ashe, Fenton
ABSENT:	Clodo Concepcion

Motion To: A. Motion to Strike Condition #6

COMMENTS - Current Meeting:

Councilor Rooke made a motion to strike condition #6 in both of the special permits and was seconded by Shea and said motion passed by a majority voice vote with Councilor Walsh saying no and Councilor Concepcion absent.

RESULT:	ADOPTED VOICE
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3. Petition (ID # 2554)

For a Special Permit for the Demolition and New Construction of a Structure(S) Totaling More Than One Thousand (1,000) Square Feet at the Properties Known as 572 Belmont Avenue (01235-0108), 582 Belmont Avenue (01235-0107) and 453 Dickinson Street (03910-0453) in Accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31.A (Neighborhood Commercial Design Overlay District) and M.G.L.

Request:	See Above
Owner:	Salmar Realty, LLC
By:	Peter Martins
Petitioner:	Salmar Realty, LLC
By:	Peter Martins

COMMENTS - Current Meeting:

Hearing held at which Paul Caron, Peter Martins, John Salmar, and Gary Wyman, PE appeared on behalf of Salmar Realty, LCC the Petitioner and Patricia Triggs appeared on behalf of Forest Park Civic Association all spoke in favor stating that the Petitioner is requesting 2 special permits (1) for the installation of a drive-up window and (2) is to for the demolition 3 buildings within the Neighborhood Commercial Design Overlay District to construct a new 2,340 square foot Dunkin Donuts and with a drive-up window, pedestrian access, outdoor and expended indoor seating and improved curb cuts for ingress and egress with construction value of \$1.9 million. Ms. Triggs stated that not all members Civic Association is in favor but more than a majority member voted to support the project. Shawn Rairigh an urban planner appeared in opposition stating that the matter should be tabled until the variance applications has be heard and that he is not opposed to the project in whole just opposed to the drive-up window and see issues with traffic patterns on Belmont Avenue and Dickerson Street, demolition of 3 buildings, noise to apartment near-by and non personable status a drive-up window brings. Ken Dolder also appeared in opposition stating that his opposition is to the drive-up window and not to the whole project as it is located too close to the X center and streets and will create a "bottle neck" at the X and that UMass is doing a study of the X and we should wait for that report. Tony Taylor a representative of AFL-CIO also appeared in opposition stating he wanted the Council to check to labor record and as Dunkin Donuts is opposed to a "living wage" and pays minimum wages and he wanted the permit tabled until he has an opportunity to meet with the Petitioner. In rebuttal Paul Caron, Peter Martins and Gary Wyman, PE appeared to the rebut the issue of traffic, curb cut and said current shop is to small and has no bathroom and with the renovations seating will go from 12 seats to 38 seats and with respects to wages they paid minimum to executive salary and curb cuts will be an improvement to the X. Patricia Triggs stated that Civic Association is not in favor of drive-up windows but has fought and lost that battle in the past. Tony Taylor a representative of AFL-CIO appeared in rebuttal to the Petitionrt and spoke in favor of living wage not minimum wages and the matter should be tabled. Ken Dolder appeared in rebuttal to the Petitioner stating that the drive-up will increase traffic at the X. Shawn Rairigh appeared in rebuttal to Petitioner stating that drive-up window is not in compliance with the overly district and the hearing was closed. Councilor Allen asked Phi Dromey, Deputy Director of Planning to address the issue of drive-up window and Mr. Dromey said the overly district does not prohibited drive-up windows but look at how they are designed and this building is pedestrian friendly, has green space and DPW reviewed the traffic design and approved the curb cut and traffic flow and there is a condition in the special permit that says that the variances must be granted or the permit is null and void. Councilors Shea, Williams, Walsh, Twiggs, Ramos and Rooke expressed support for the project citing approval of traffic flow by DPW and the demolition of 3 buildings would be improvement of the blighted buildings and shown how business, a neighborhood and the City can work together although Councilor Williams and Ramos expressed concerns about the labor issues. Councilor Concepcion although absent called in to say he was in favor of the project. Councilor Rooke made a motion to strike condition #6 in both of the special

permits and was seconded by Councilor Shea and said motion passed by a majority voice vote with Councilor Walsh saying no and Councilor Concepcion absent and the Special Permit as amended was granted by the following roll call vote.

ATTACHMENTS:

- Belmont_Ave_572_Overlay_Tax_Formal (PDF)
- Belmont_Ave_572_2014 (PDF)

RESULT:	ADOPTED AS AMENDED [12 TO 0]
MOVER:	Kenneth E. Shea, Ward 6 Councilor
SECONDER:	Timothy J. Rooke, At-Large Councilor
AYES:	Luna, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Allen, Hurst, Ashe, Fenton
ABSENT:	Clodo Concepcion

Motion To: A. Motion to Strike condition #6

COMMENTS - Current Meeting:

Councilor Rooke made a motion to strike condition #6 in both of the special permits and was seconded by Shea and said motion passed by a majority voice vote with Councilor Walsh saying no and Councilor Concepcion absent.

RESULT:	ADOPTED VOICE
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4. Petition (ID # 2555)

For a Special Permit for Motor Vehicle Sales at the Property Known as 350 Pasco Road (09540-0082), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Request:	See Above
Owner:	Craig J. Morel
By:	Craig J. Morel
Petitioner:	CJ's Towing Unlimited, Inc.
By:	Craig J. Morel

COMMENTS - Current Meeting:

Hearing held at which Craig J. Morel, President of CJ's Towing Unlimited, Inc., and Charles Paine, VP of the Indian Orchard Citizens Council appeared and spoke in favor stating that the Citizens Council had voted unanimously to support the request and petitioner is requesting a special permit for motor vehicle sales and the property is currently has a permit for a towing operation and junk yard and has been selling car with a license from License Commission and this request would make the use legal and no one appeared in opposition. Councilor Ramos said he is a neighbor of the Petitioner and the property is clean and as a former License Commission member there were no complaints about it operation and the hearing was closed and the Special Permit was granted by the following roll call vote.

ATTACHMENTS:

- Pasco_Rd_350_Tax_Formal (PDF)
- Pasco_Rd_350_2014 (PDF)

RESULT: **ADOPTED [11 TO 0]**

MOVER: Orlando Ramos, Ward 8 Councilor

SECONDER: Timothy J. Rooke, At-Large Councilor

AYES: Luna, Twiggs, Shea, Walsh, Edwards, Ramos, Rooke, Allen, Hurst, Ashe, Fenton

ABSENT: Clodo Concepcion, Bud L. Williams

**City of Springfield**

36 Court Street
Springfield, MA 01103

Meeting: 03/31/14 07:00 PM
Department: Planning and Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 2552

TABLED**PETITION (ID # 2552)**

**For a Special Permit for the Exterior Renovation of a
Structure(S) Totaling More Than One Thousand (1,000)
Square Feet at the Property Known as 449 Sumner Avenue
(11280-0419) in Accordance with the Springfield Zoning
Ordinance, Article 8.1, Section 8.1.31.A (Neighborhood
Commercial Design Overlay District) and M.G.L.**

Request:	See Above
Owner:	RF Realty Company, LLC
By:	Britt Adornato
Petitioner:	RF Realty Company, LLC
By:	Britt Adornato

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

for a special permit for the exterior renovation of a structure(s) totaling more than one thousand (1,000) square feet at the property known as 449 Sumner Avenue (11280-0419) in accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31.A (Neighborhood Commercial Design Overlay District) and M.G.L.

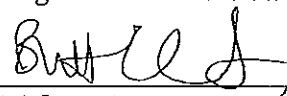
Mailing Address:

453 Sumner Avenue
Springfield, MA 01108

Owner & Petitioner:

RF Realty Company, LLC

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

BY: 

Britt Adornato

RECEIVED
2014 FEB 19 A 11:44
CITY CLERK'S OFFICE
SPRINGFIELD, MA

Attachment: Sumner_Ave_449_Overlay_Tax_Formal (2552 : 449 Sumner Avenue)

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

02/12/2014

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: 447-455 Sumner Avenue aka 449 Sumner Avenue 112800419

Landlord: RF REALTY COMPANY LLC

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

Stephen J. Lonergan: Treasurer/Collector

Attachment: Sumner_Ave_449_Overlay_Tax_Form (2552 : 449 Sumner Avenue)

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

449 SUMNER AVENUE (11280-0419)

**NEIGHBORHOOD COMMERCIAL DESIGN OVERLAY DISTRICT
(DEMOLITION/NEW CONSTRUCTION OVER 1,000 S.F.)**

General Information

Petitioner:	RF Realty Company, LLC
Request:	For a special permit for the exterior renovation of a structure(s) totaling more than one thousand (1,000) square feet within the Neighborhood Commercial Design Overlay District.
Proposed use of the property:	Eye care/retail
Parcel Size:	22,496 s.f.
Compatibility with current planning documents:	The property is located within the "X" commercial district in the Forest Park Neighborhood. This area has a mixture of commercial and residential uses.
Neighborhood council notification:	Forest Park Neighborhood Council: 3-3-14
Tax Status:	SEE ATTACHED
Site Visit:	3-20-14
City Council Hearing:	3-31-14

Staff Analysis

Neighborhood characteristics:

The property is zoned Business A and the surrounding land uses include:

- To the north is a fast food restaurant zoned Business A.
- To the south is a parking lot zoned Business A and Residence B.
- To the west is a retail operation zoned Business A.
- To the east are retail shops zoned Business A.

Site plan review:

The petitioner has requested a special permit for the exterior renovation to a building located within the Neighborhood Commercial Design Overlay District at the property known as 449 Sumner Avenue. This is the current location of Forest Park Eye Care and MetroPCS.

As can be seen by the attached plans, significant work will be done to the exterior of this building. This will

include a new storefront window glazing system, new ornamental storefront panels, a new stucco wall treatment, new fabric awnings with decorative external lighting and additional external sign and building lighting.

After a review of the submitted plans and visiting the site, the staff fully supports the proposed renovations. The staff believes the proposed renovation will have a very beneficial impact on the building and on the Overlay District as a whole.



Recommendation

Approve, with conditions.

Recommended Conditions (Neighborhood Commercial Design Overlay District)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for a special permit for the exterior renovation of a structure(s) totaling more than one thousand (1,000) square feet at the property known as 449 Sumner Avenue (11280-0419).
3. The use shall be developed according to the plans and elevations, dated December 3, 2013, with the addition of conditions #4 through #8.
4. The building shall be maintained graffiti free.
5. The sidewalks and public treebelt shall be maintained, including snow removal.
6. There shall be no banners, streamers, pennants, or additional signs located on the property.
7. All wall signs shall be externally illuminated.
8. All new signage shall be reviewed and approved by the Office of Planning & Economic Development as per Article 8 of the Springfield Zoning Ordinance.
9. 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



02/12/2014

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: 447-455 Sumner Avenue aka 449 Sumner Avenue 112800419

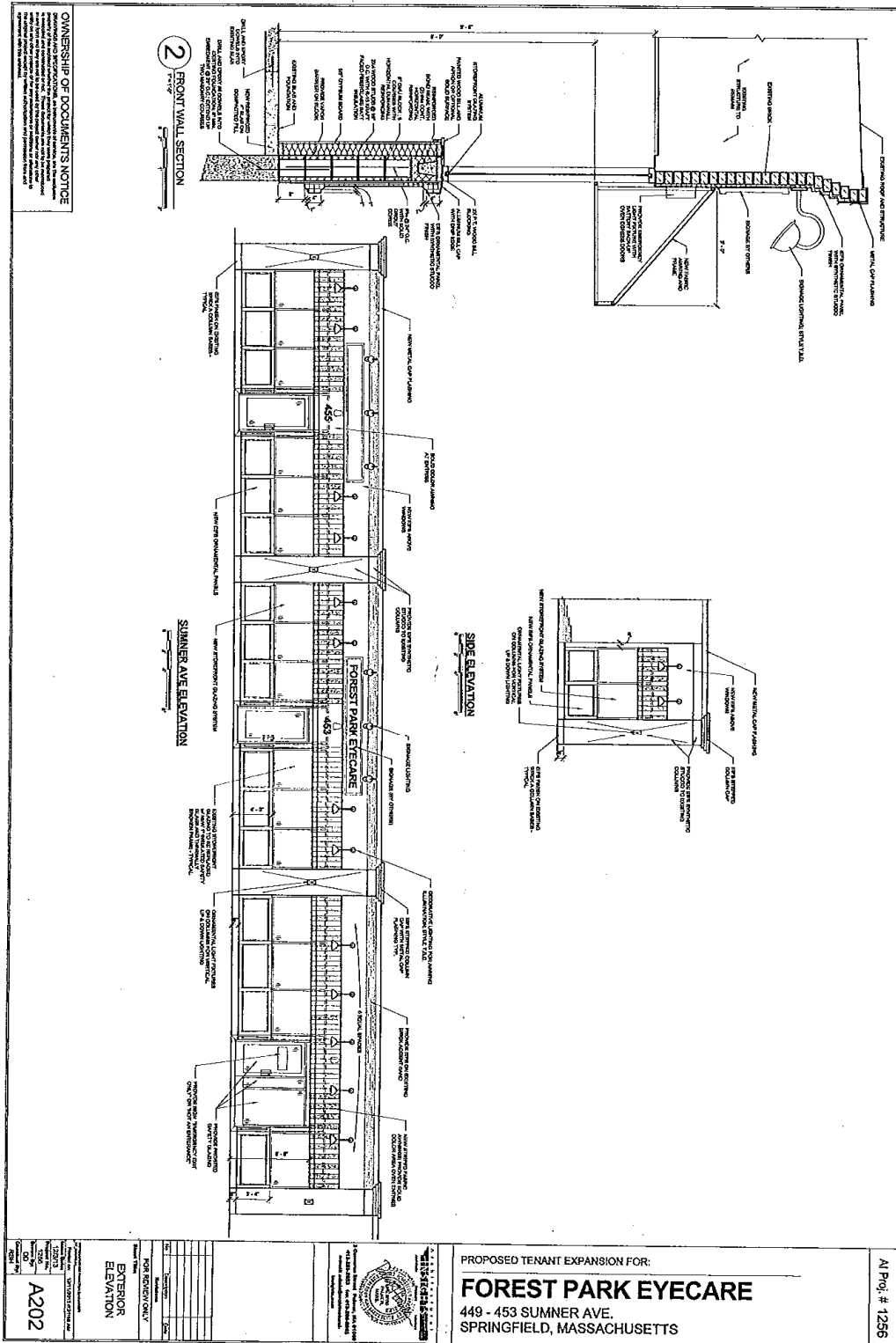
Landlord: RF REALTY COMPANY LLC

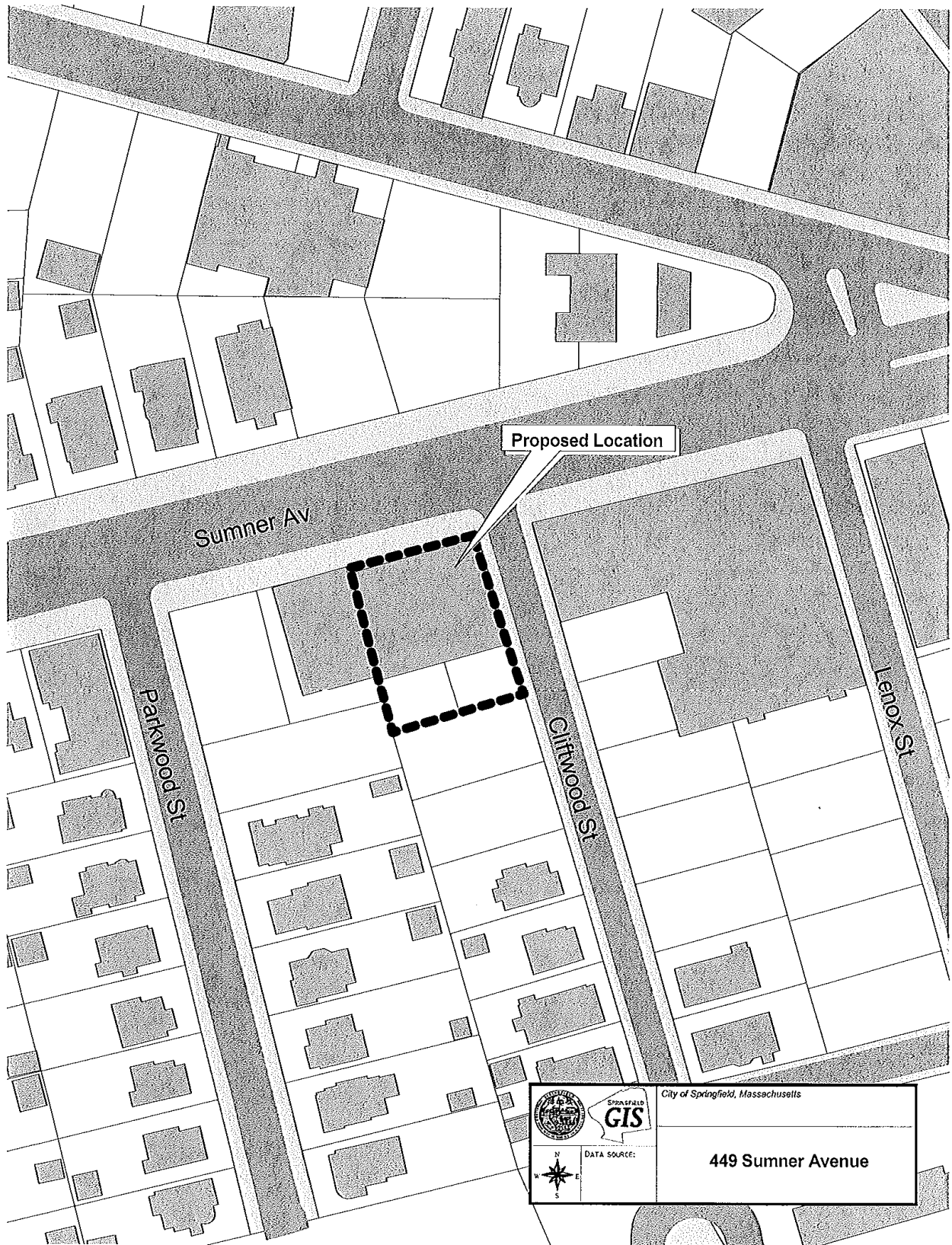
A handwritten signature in black ink, appearing to read "Stephen J. Loneragan", is written over a horizontal line.

Stephen J. Loneragan: Treasurer/Collector

Attachment: Sumner Ave 449 2014 [Revision 3] (2552 : 449 Sumner Avenue)








City of Springfield

36 Court Street
Springfield, MA 01103

ADOPTED
PETITION (ID # 2553)

Meeting: 03/31/14 07:00 PM
Department: Planning and Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 2553

**For a Special Permit to Operate a Drive-Up Service Window
at the Properties Known as 572 Belmont Avenue (01235-
0108), 582 Belmont Avenue (01235-0107) and 453 Dickinson
Street (03910-0453) in Accordance with the Springfield
Zoning Ordinance, Article 4, Table 4-4, Section 19.1.3 and
M.G.L.**

Request: See Above
Owner: Salmar Realty, LLC
By: Peter Martins
Petitioner: Salmar Realty, LLC
By: Peter Martins

RESULT: **ADOPTED AS AMENDED [12 TO 0]**
MOVER: Kenneth E. Shea, Ward 6 Councilor
SECONDER: Timothy J. Rooke, At-Large Councilor
AYES: Luna, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Allen,
Hurst, Ashe, Fenton
ABSENT: Clodo Concepcion

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

for a special permit to operate a drive-up service window at the properties known as 572 Belmont Avenue (01235-0108), 582 Belmont Avenue (01235-0107) and 453 Dickinson Street (03910-0453) in accordance with the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1.3 and M.G.L.

Mailing Address:

350 Cottage Street
Springfield, MA 01104

Owner & Petitioner:

Salmar Realty, LLC

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

BY: 
Peter Martins

Attachment: Belmont_Ave_572_Drive_Up_Tax_Formal (2553 : 572 Belmont Avenue)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

1/24/14

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: 572 Belmont Avenue & ES Dickinson Street - 01235-0108

Landlord: Salmar Realty LLC – Peter Martins

Stephen J. Loneragan: Treasurer/Collector

Attachment: Belmont_Ave_572_Drive_Up_Tax_Formal (2553 : 572 Belmont Avenue)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

1/24/14

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: 453 Dickinson Street – 03910-0453

Landlord: Salmar Realty LLC – Peter Martins

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

Stephen J. Loneragan: Treasurer/Collector

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

572 BELMONT AVENUE (01235-0108) & 453 DICKINSON STREET (03910-0453)

**DRIVE-UP SERVICE WINDOW &
NEIGHBORHOOD COMMERCIAL DESIGN OVERLAY DISTRICT
(DEMOLITION/NEW CONSTRUCTION OVER 1,000 S.F.)**

General Information

Petitioner:	Salmar Realty, LLC
Request:	To operate a drive-up service window and for new construction and demolition within the Neighborhood Commercial Design Overlay District.
Proposed use of the property:	Dunkin Donuts
Parcel Size:	18,894 s.f.
Compatibility with current planning documents:	The property is located with the "X" commercial district in the Forest Park Neighborhood. This area has a mixture of commercial and residential uses.
Neighborhood council notification:	Forest Park Neighborhood Council: 3-3-14
Tax Status:	SEE ATTACHED
Site Visit:	3-20-14
City Council Hearing:	3-31-14

Staff Analysis

Neighborhood characteristics:

The property is zoned Business A and the surrounding land uses include:

- To the north is a retail operation zoned Business A.
- To the south is a bar/restaurant zoned Business A.
- To the west are residential apartments and a pharmacy zoned Business A.
- To the east is an office building zoned Business A.

Site plan review:

The petitioner has requested two (2) special permits for the properties known as 572 Belmont Avenue and 453 Dickinson Street. One special permit is for the installation of a drive-up service window and the second special permit is for the demolition and new construction within the Neighborhood Commercial Design Overlay District.

This site is the current location of three (3) buildings which house the existing Dunkin Donuts, the Pizza Works restaurant, as well as two (2) storefront churches and a beauty salon. The petitioner has submitted plans which show that all of the existing buildings will be demolished and a new, 2,340 square foot Dunkin Donuts will be constructed.

After a review of the full proposal, the staff has the following comments:

Site Plan:

First, as noted above, this site is located within the Neighborhood Commercial Design Overlay District, better known as the "X" Overlay District. This overlay zone was put into place at the "X" in October 1997 and has been used to enhance, foster and promote the proper and consistent land uses within these unique neighborhood commercial districts such as the "X". Many initiatives have been completed over the years which have focused on preserving and improving the pedestrian access to this commercial district. This has been achieved by maintaining and promoting urban scaled pedestrian developments which consist of buildings at the street edge which provide direct access for the pedestrian. It is this type of development that is predominant throughout the "X".



As noted above, the project entails the demolition of three (3) existing buildings at the corner of Belmont Avenue and Dickinson Street. The plan is then to construct a new Dunkin Donuts with a drive-up service window. While the staff is never pleased to see the demolition of established commercial buildings, the staff has been working very closely with the developer to ensure the new design meets the underlying goals of the Overlay District.

Early in the process, the staff and the developers met to review the proposed site plan. The original plan that was submitted showed the proposed building was to be located at the rear of the property with parking in the front. The staff made it very clear to the developer at that time that this design in no way met the intent or regulations of the Overlay District. At that time the Planning staff took it upon themselves to see if a new design of the building could meet the intent of the Overlay District while still addressing the needs of the developer. The plan that has been submitted is the result of this collaborative effort.

As can be seen by the attached plan, the proposed building has been moved up closer to the corner of the property and more importantly, has been designed to provide direct pedestrian access from both Belmont Avenue and Dickinson Street. The parking and drive-up service window will be located to the rear/side of the building. By moving the building up closer to the corner of the property, in addition to gaining direct pedestrian access, an outdoor seating area was also able to be included in the design.

Full access to the site will be from Dickinson Street with an exit only for the parking and drive-up window onto Belmont Avenue. It should be noted, that the Department of Public Works has fully reviewed the

proposed plans, including the traffic, and has approved the development.

The staff has also reviewed the proposed landscaping and is pleased with what will be installed. This is a significant upgrade to what currently exists and will include a landscape buffer along the parking lot and public sidewalk. It should be noted that there is currently an empty tree pit along Belmont Avenue that the staff is recommending be replanted with a shade tree as part of this development.

While the staff is pleased with the new layout of the site and has worked cooperatively to come up with this design, it should be noted that the proposed development is also going to need a number of variances from the Board of Appeals. This is due to the fact that a number of the underlying Overlay District regulations will not be met. This includes the need for the building to be within ten (10) feet of both the side yards on a corner lot, the need for one side of the building to be at least forty (40) feet long facing a street, percentage of the building occupying the lot frontage (60%) and that the highest part of the building must be within twenty five (25) feet of the corner. The petitioner has already applied to the Board of Appeals and will be heard at their March 26th meeting. An additional variance will also be needed with regards to the proposed faux window treatment along Dickinson Street.

As with the demolition of buildings, it is never the first choice of the Planning staff to alter the underlying zoning regulations, however, the staff does recognize the unique configuration of this parcel and, as noted, has worked directly with the developer to come up with the best design possible for this site. Unlike most "corner" lots within this Overlay District, this particular corner has a very acute angle which makes it nearly impossible to meet the regulations as written. In addition, the developer has provided an outdoor seating area within the setback which the staff believes enhances the overall pedestrian experience and viability of the "X" commercial district.

Elevations:

In addition to the site plans, the petitioner has also submitted full elevation plans. As can be seen, the building will have a brick veneer with white trim. The staff is pleased with this treatment as it is architecturally appropriate with the other existing commercial buildings found within the "X". Entrances will be located along Belmont Avenue and Dickinson Street as well as front and side wall window treatments. As noted above, a variance will be needed for the Dickinson Street façade as the windows being installed will be faux window. The reason for this treatment is that this will be the interior location of the restrooms.

As with the other variances outlined above, the staff does not object to this proposed window treatment as the staff believes that the overall building has been designed with ample window treatments on the other elevations. Lastly, the service entrance will be located on the rear of the building with the drive-up service window being located on the eastern side of the building.

Signage:

As per the Overlay District guidelines, any and all signage is required to be reviewed and approved by the Special Permit granting authority.

As can be seen on the attached elevations, the petitioner has submitted plans which indicate that the proposed signs will be internally illuminated. As per the underlying Overlay District regulations, internally illuminated signs are expressly prohibited. Since a variance to this regulation was not applied for, internally illuminated signs cannot be installed. Further, it should be noted that this is a variance that the staff would not support. Unlike the other variations to this development which are being applied for due to the configuration of the parcel, the staff has consistently recommended that all signage within the "X" Overlay District be externally illuminated including most recently the redevelopment of the CVS on Belmont Avenue.

The staff would also recommend that the developer consider replacing the existing pylon sign with an externally illuminated monument sign, which would make it conforming to the underlying regulations.

Recommendation

Approve, with conditions.

Recommended Conditions (Neighborhood Commercial Design Overlay District)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the demolition and new construction of a structure(s) totaling more than one thousand (1,000) square feet at the property known as 572 Belmont Avenue (01235-0108) and 453 Dickinson Street (03910-0453).
3. The use shall be developed according to the plans and elevations, dated January 1, 2014, with the addition of conditions #4 through #18.
4. Any and all variances required shall be obtained prior to the issuing of a building permit.
5. One (1) street tree shall be planted within the empty tree pit along Belmont Avenue. The City Forester shall be consulted to determine size and variety.
6. The facility shall be closed no later than 2:00AM.
7. All landscaped areas and site shall be maintained and kept free of all debris, weeds and trash.
8. The building shall be maintained graffiti free.
9. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
10. The sidewalks and public treebelt shall be maintained, including snow removal.
11. The drive-up service operation shall not be audible from any residential/commercial abutters.
12. The dumpsters shall be completely enclosed.
13. There shall be no banners, streamers, pennants, or additional signs located on the property.
14. There shall be no non-accessory signs on the premises.
15. No signs or banners shall be attached to the light poles or any utility poles.
16. All wall signs shall be externally illuminated.
17. There shall be no electronic "running messages" or "flashing messages" allowed on any exterior sign.
18. There shall be no outside storage.
19. 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.

Recommended Conditions (Drive-up Service Window)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the operation of a drive-up service window at the property known as 572 Belmont Avenue (01235-0108) and 453 Dickinson Street (03910-0453).
3. The use shall be developed according to the plans and elevations, dated January 1, 2014, with the addition of conditions #4 through #18.
4. Any and all variances required shall be obtained prior to the issuing of a building permit.
5. One (1) street tree shall be planted within the empty tree pit along Belmont Avenue. The City Forester shall be consulted to determine size and variety.
6. The facility shall be closed no later than 2:00AM.
7. All landscaped areas and site shall be maintained and kept free of all debris, weeds and trash.
8. The building shall be maintained graffiti free.
9. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
10. The sidewalks and public treebelt shall be maintained, including snow removal.
11. The drive-up service operation shall not be audible from any residential/commercial abutters.

12. The dumpsters shall be completely enclosed.
13. There shall be no banners, streamers, pennants, or additional signs located on the property.
14. There shall be no non-accessory signs on the premises.
15. No signs or banners shall be attached to the light poles or any utility poles.
16. All wall signs shall be externally illuminated.
17. There shall be no electronic "running messages" or "flashing messages" allowed on any exterior sign.
18. There shall be no outside storage.
19. 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

1/24/14

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: 572 Belmont Avenue & ES Dickinson Street - 01235-0108

Landlord: Salmar Realty LLC -- Peter Martins

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

Stephen J. Loneragan: Treasurer/Collector

Attachment: Belmont_Ave_572_2014 [Revision 1] (2553 : 572 Belmont Avenue)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

1/24/14

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: 453 Dickinson Street -- 03910-0453

Landlord: Salmar Realty LLC – Peter Martins

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

Stephen J. Loneragan: Treasurer/Collector

Attachment: Belmont_Ave_572_2014 [Revision 1] (2553 : 572 Belmont Avenue)



Forest Park Civic Association
 P.O. Box 80709
 Springfield, MA 01138-0708
www.forestparkcivic.org
forestparkcivic.spfld@gmail.com

March 19, 2014

Mr. Paul Caron
 15 Crestview Road
 East Longmeadow, Massachusetts

Dear Mr. Caron:

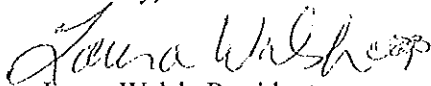
In regards to your request for support of a Special Permit to construct a drive-thru Dunkin Donuts at the current Belmont Avenue location, the Forest Park Civic Association, after hearing your request and further discussion, voted on Sunday March 2, 2014, in favor of the petition. Therefore, we would recommend to the City Council that this petition be granted.

As a neighborhood, we appreciate you involving us in the planning process and for listening to our wants and needs, especially in keeping with the character of our diverse neighborhood.

We feel that the renovations to the existing Dunkin Donuts facility will help create a more pedestrian friendly environment for the neighborhood, while also mitigating current traffic hazards.

Again, we appreciated and thank you for taking the time to come before the Forest Park Civic Association.

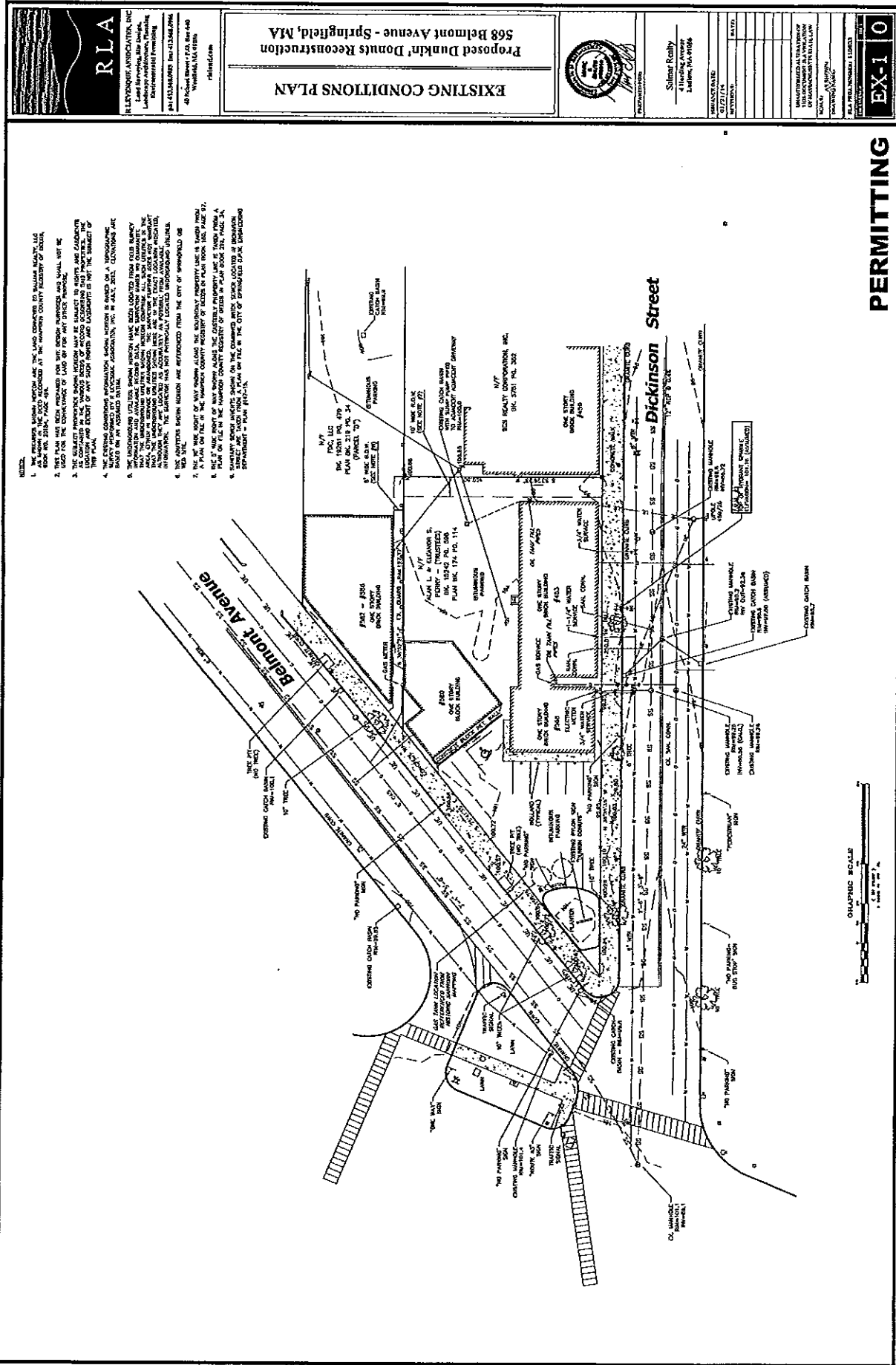
Sincerely,


 Laura Walsh, President
 77 Firglade Avenue
 Springfield, MA 01108

CC: Springfield City Council
 Springfield Office of Planning and Economic Development
 Springfield Zoning Board

Attachment: Belmont_Ave_572_2014 [Revision 1] (2553 : 572 Belmont Avenue)

Attachment: Belmont_Ave_572_2014 [Revision 1] (2553 : 572 Belmont Avenue)



Proposed Dunkin' Donuts Reconstruction
568 Belmont Avenue - Springfield, MA

4 Harding Avenue
Framingham, MA 01834

ISSUANCE DATE	10/06/2013	REVISIONS	DATE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS
QUALIFIED ALTERNATE OF THE REGISTERED STATE LAW OF NABARPOUR STATE LAW										
AGENT AS SHOWN DATE: 10/06/2013										
KLA PROD. HINDUSTAN 114003										

1. THE CONTRACTOR SHALL REFER TO SHEET C-1, C-2, DETAIL SHEETS AND MEANS/PLAN SET FOR INFORMATION REGARDING SITE LAYOUT.
2. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CROSS REFERENCE INFORMATION CONTAINED IN OTHER SHEETS WITH THE INFORMATION SHOWN HEREON.

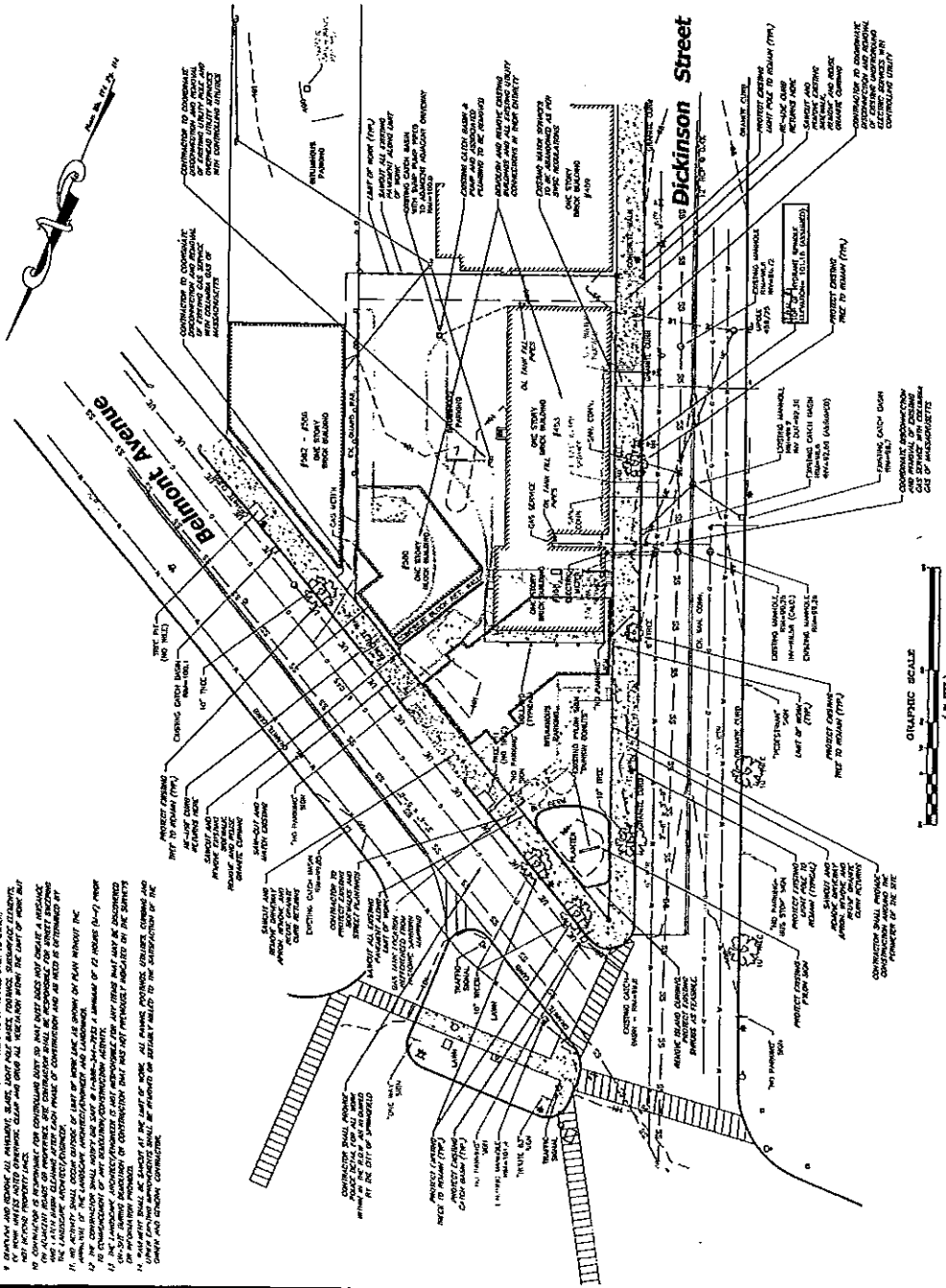
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2. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CROSS REFERENCE INFORMATION CONTAINED IN OTHER SHEETS WITH THE INFORMATION SHOWN HEREON.

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STATION AREA.
2. STOP WORK SHALL BE 10% MORE THAN THE

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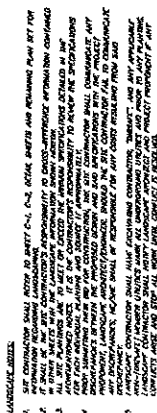
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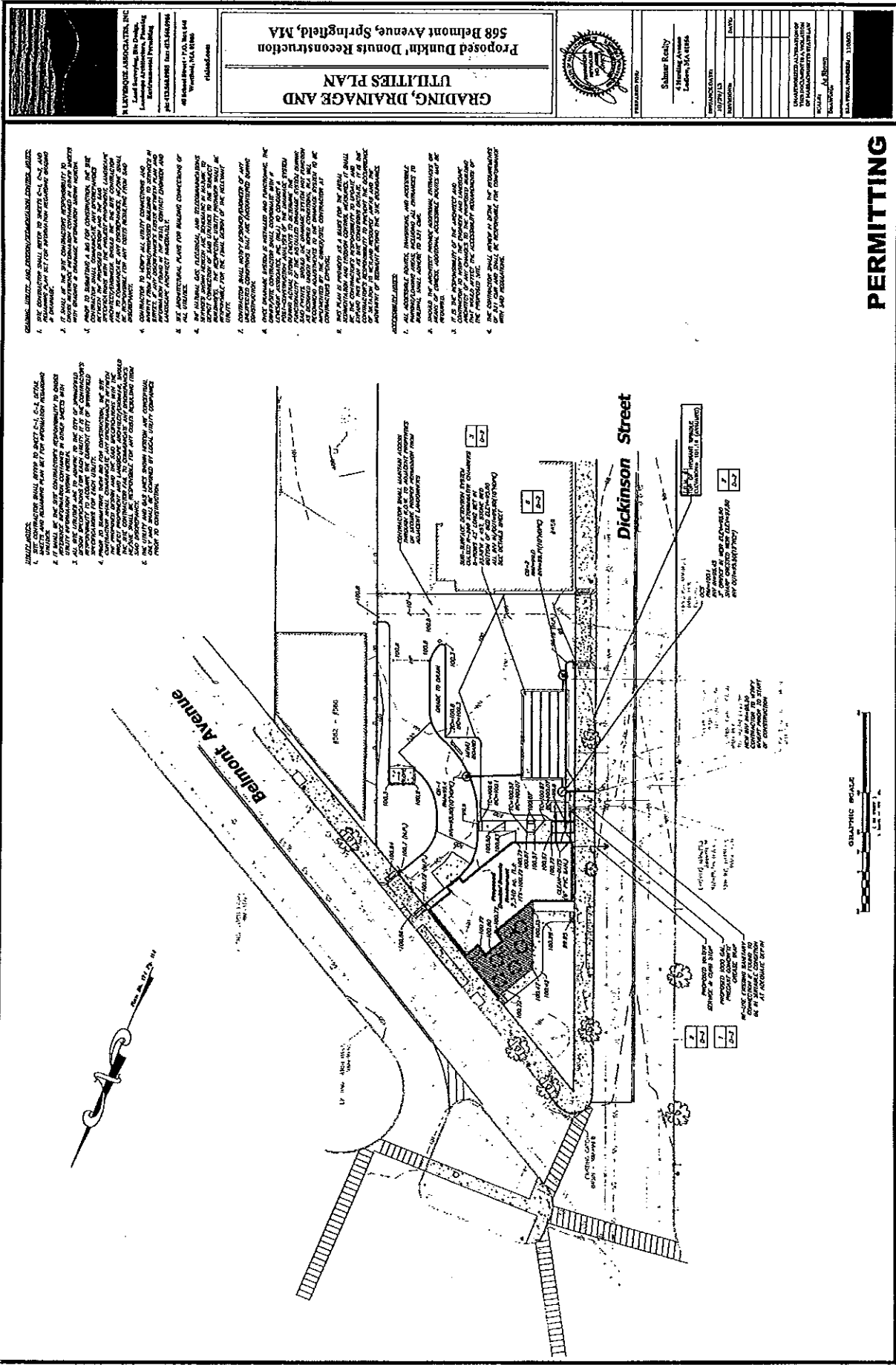


ORGANIC SCIENCE

ST/AN 700/10000

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DETAILS AND SPECIFICATIONS

BLAVENQUE ASSOCIATES, INC.
 1000 Main Street, Suite 200
 Springfield, MA 01103
 Tel: 413-263-8888 Fax: 413-263-8889
 40 Belmont Street, P.O. Box 444
 Springfield, MA 01103
 blavenuk.com

DETAILS AND SPECIFICATIONS

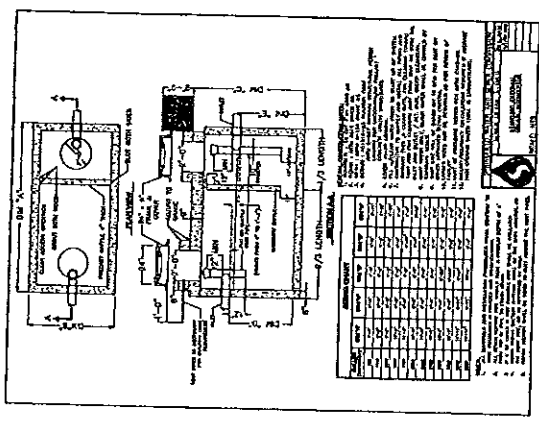
Proposed Dunkin' Donuts Reconstruction
 568 Belmont Avenue, Springfield, MA



Submit Ready
 4 Belmont Avenue
 Springfield, MA 01103

PROJECT NO.	
DATE	
REVISIONS	
DESCRIPTION	
DATE	
BY	
CHECKED BY	
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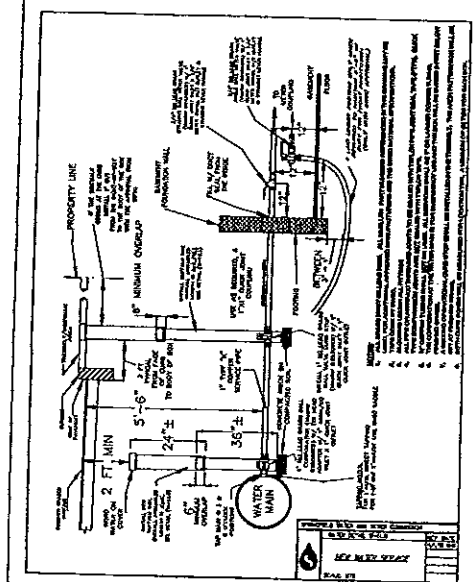
MA PLAN NUMBER: 110003



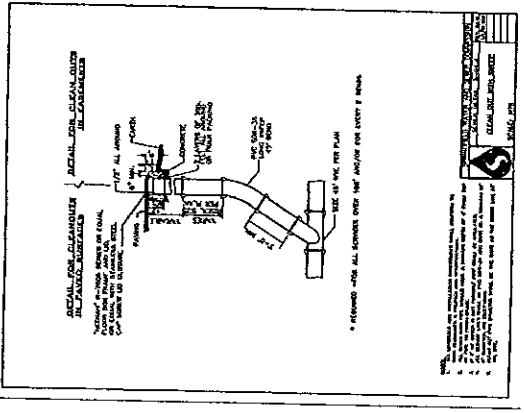
1 STANDARD EXTERNAL GREASE INTERCEPTOR
 NOT SCALE

- CONSTRUCTION NOTES**
1. CALL ONE-SAVE (1-800-255-4444) A MINIMUM OF 72 HOURS PRIOR TO CONSTRUCTION.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS.
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 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS.
 11. "AS-BUILT" UTILITY CHANGES ARE TO BE SUBMITTED TO THE ENGINEERING DIVISION UPON COMPLETION OF THIS PROJECT.
 12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS.
 13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE ENGINEERING DIVISION, DEPARTMENT OF PUBLIC WORKS.
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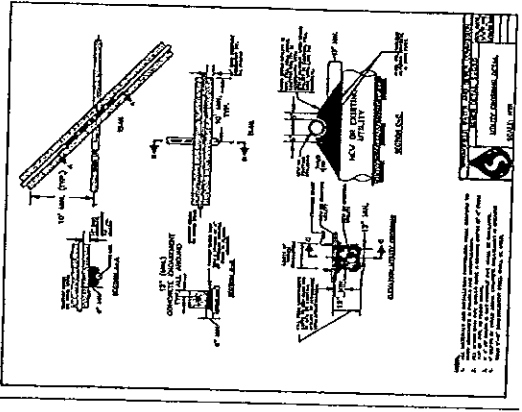
2 S.W.S.C. STANDARD NOTES
 NOT SCALE



2 TYPICAL NEW WATER SERVICE
 NOT SCALE



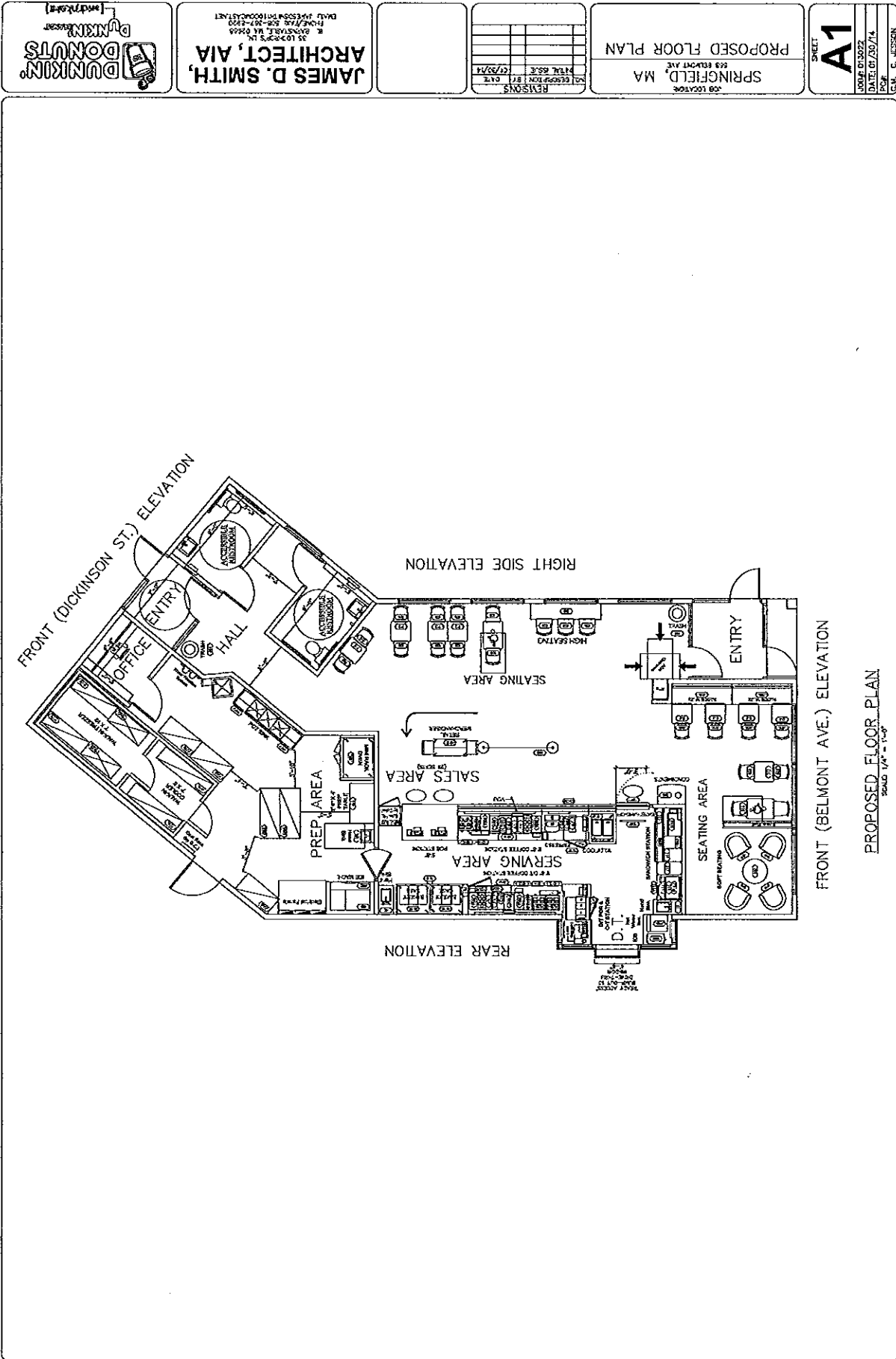
3 TYPICAL PIPE CLEANOUT
 NOT SCALE



4 UTILITY CROSSING DETAIL
 NOT SCALE

PERMITTING

MA PLAN NUMBER: 110003



Summer Av

Belmont Av

Proposed Location

Dickinson St

Commonwealth Av

Trenton St



DATA SOURCE:

City of Springfield, Massachusetts

572 Belmont Ave &
453 Dickinson Street

Attachment: Belmont_Ave_572_2014 [Revision 1] (2553 : 572 Belmont Avenue)


City of Springfield

 36 Court Street
 Springfield, MA 01103

ADOPTED
PETITION (ID # 2554)

 Meeting: 03/31/14 07:00 PM
 Department: Planning and Economic Development
 Category: Special Permit
 Prepared By: Phil Dromey
 Initiator: Phil Dromey
 Sponsors:
 DOC ID: 2554

**For a Special Permit for the Demolition and New
 Construction of a Structure(S) Totaling More Than One
 Thousand (1,000) Square Feet at the Properties Known as
 572 Belmont Avenue (01235-0108), 582 Belmont Avenue
 (01235-0107) and 453 Dickinson Street (03910-0453) in
 Accordance with the Springfield Zoning Ordinance, Article
 8.1, Section 8.1.31.A (Neighborhood Commercial Design
 Overlay District) and M.G.L.**

Request:	See Above
Owner:	Salmar Realty, LLC
By:	Peter Martins
Petitioner:	Salmar Realty, LLC
By:	Peter Martins

RESULT:	ADOPTED AS AMENDED [12 TO 0]
MOVER:	Kenneth E. Shea, Ward 6 Councilor
SECONDER:	Timothy J. Rooke, At-Large Councilor
AYES:	Luna, Twiggs, Shea, Walsh, Edwards, Williams, Ramos, Rooke, Allen, Hurst, Ashe, Fenton
ABSENT:	Clodo Concepcion

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

for a special permit for the demolition and new construction of a structure(s) totaling more than one thousand (1,000) square feet at the properties known as 572 Belmont Avenue (01235-0108), 582 Belmont Avenue (01235-0107) and 453 Dickinson Street (03910-0453) in accordance with the Springfield Zoning Ordinance, Article 8.1, Section 8.1.31.A (Neighborhood Commercial Design Overlay District) and M.G.L.

Mailing Address:

350 Cottage Street
Springfield, MA 01104

Owner & Petitioner:

Salmar Realty, LLC

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

BY: _____

Peter Martins

Attachment: Belmont_Ave_572_Overlay_Tax_Formal (2554 : 572 Belmont Avenue)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

1/24/14

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:

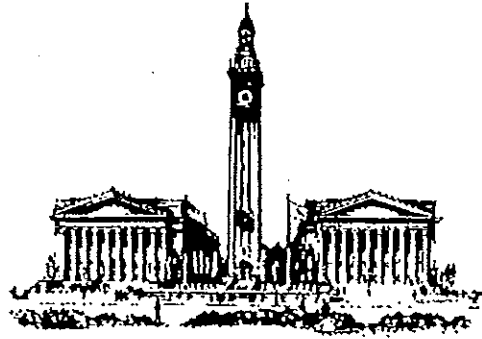
Special Permit: 453 Dickinson Street – 03910-0453

Landlord: Salmar Realty LLC – Peter Martins

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

Stephen J. Loneragan: Treasurer/Collector

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

1/24/14

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: 572 Belmont Avenue & ES Dickinson Street - 01235-0108

Landlord: Salmar Realty LLC -- Peter Martins

Stephen J. Loneragan: Treasurer/Collector

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

572 BELMONT AVENUE (01235-0108) & 453 DICKINSON STREET (03910-0453)

**DRIVE-UP SERVICE WINDOW &
NEIGHBORHOOD COMMERCIAL DESIGN OVERLAY DISTRICT
(DEMOLITION/NEW CONSTRUCTION OVER 1,000 S.F.)**

General Information

Petitioner:	Salmar Realty, LLC
Request:	To operate a drive-up service window and for new construction and demolition within the Neighborhood Commercial Design Overlay District.
Proposed use of the property:	Dunkin Donuts
Parcel Size:	18,894 s.f.
Compatibility with current planning documents:	The property is located with the "X" commercial district in the Forest Park Neighborhood. This area has a mixture of commercial and residential uses.
Neighborhood council notification:	Forest Park Neighborhood Council: 3-3-14
Tax Status:	SEE ATTACHED
Site Visit:	3-20-14
City Council Hearing:	3-31-14

Staff Analysis

Neighborhood characteristics:

The property is zoned Business A and the surrounding land uses include:

- To the north is a retail operation zoned Business A.
- To the south is a bar/restaurant zoned Business A.
- To the west are residential apartments and a pharmacy zoned Business A.
- To the east is an office building zoned Business A.

Site plan review:

The petitioner has requested two (2) special permits for the properties known as 572 Belmont Avenue and 453 Dickinson Street. One special permit is for the installation of a drive-up service window and the second special permit is for the demolition and new construction within the Neighborhood Commercial Design Overlay District.

This site is the current location of three (3) buildings which house the existing Dunkin Donuts, the Pizza Works restaurant, as well as two (2) storefront churches and a beauty salon. The petitioner has submitted plans which show that all of the existing buildings will be demolished and a new, 2,340 square foot Dunkin Donuts will be constructed.

After a review of the full proposal, the staff has the following comments:

Site Plan:

First, as noted above, this site is located within the Neighborhood Commercial Design Overlay District, better known as the "X" Overlay District. This overlay zone was put into place at the "X" in October 1997 and has been used to enhance, foster and promote the proper and consistent land uses within these unique neighborhood commercial districts such as the "X". Many initiatives have been completed over the years which have focused on preserving and improving the pedestrian access to this commercial district. This has been achieved by maintaining and promoting urban scaled pedestrian developments which consist of buildings at the street edge which provide direct access for the pedestrian. It is this type of development that is predominant throughout the "X".



As noted above, the project entails the demolition of three (3) existing buildings at the corner of Belmont Avenue and Dickinson Street. The plan is then to construct a new Dunkin Donuts with a drive-up service window. While the staff is never pleased to see the demolition of established commercial buildings, the staff has been working very closely with the developer to ensure the new design meets the underlying goals of the Overlay District.

Early in the process, the staff and the developers met to review the proposed site plan. The original plan that was submitted showed the proposed building was to be located at the rear of the property with parking in the front. The staff made it very clear to the developer at that time that this design in no way met the intent or regulations of the Overlay District. At that time the Planning staff took it upon themselves to see if a new design of the building could meet the intent of the Overlay District while still addressing the needs of the developer. The plan that has been submitted is the result of this collaborative effort.

As can be seen by the attached plan, the proposed building has been moved up closer to the corner of the property and more importantly, has been designed to provide direct pedestrian access from both Belmont Avenue and Dickinson Street. The parking and drive-up service window will be located to the rear/side of the building. By moving the building up closer to the corner of the property, in addition to gaining direct pedestrian access, an outdoor seating area was also able to be included in the design.

Full access to the site will be from Dickinson Street with an exit only for the parking and drive-up window onto Belmont Avenue. It should be noted, that the Department of Public Works has fully reviewed the

proposed plans, including the traffic, and has approved the development.

The staff has also reviewed the proposed landscaping and is pleased with what will be installed. This is a significant upgrade to what currently exists and will include a landscape buffer along the parking lot and public sidewalk. It should be noted that there is currently an empty tree pit along Belmont Avenue that the staff is recommending be replanted with a shade tree as part of this development.

While the staff is pleased with the new layout of the site and has worked cooperatively to come up with this design, it should be noted that the proposed development is also going to need a number of variances from the Board of Appeals. This is due to the fact that a number of the underlying Overlay District regulations will not be met. This includes the need for the building to be within ten (10) feet of both the side yards on a corner lot, the need for one side of the building to be at least forty (40) feet long facing a street, percentage of the building occupying the lot frontage (60%) and that the highest part of the building must be within twenty five (25) feet of the corner. The petitioner has already applied to the Board of Appeals and will be heard at their March 26th meeting. An additional variance will also be needed with regards to the proposed faux window treatment along Dickinson Street.

As with the demolition of buildings, it is never the first choice of the Planning staff to alter the underlying zoning regulations, however, the staff does recognize the unique configuration of this parcel and, as noted, has worked directly with the developer to come up with the best design possible for this site. Unlike most "corner" lots within this Overlay District, this particular corner has a very acute angle which makes it nearly impossible to meet the regulations as written. In addition, the developer has provided an outdoor seating area within the setback which the staff believes enhances the overall pedestrian experience and viability of the "X" commercial district.

Elevations:

In addition to the site plans, the petitioner has also submitted full elevation plans. As can be seen, the building will have a brick veneer with white trim. The staff is pleased with this treatment as it is architecturally appropriate with the other existing commercial buildings found within the "X". Entrances will be located along Belmont Avenue and Dickinson Street as well as front and side wall window treatments. As noted above, a variance will be needed for the Dickinson Street façade as the windows being installed will be faux window. The reason for this treatment is that this will be the interior location of the restrooms.

As with the other variances outlined above, the staff does not object to this proposed window treatment as the staff believes that the overall building has been designed with ample window treatments on the other elevations. Lastly, the service entrance will be located on the rear of the building with the drive-up service window being located on the eastern side of the building.

Signage:

As per the Overlay District guidelines, any and all signage is required to be reviewed and approved by the Special Permit granting authority.

As can be seen on the attached elevations, the petitioner has submitted plans which indicate that the proposed signs will be internally illuminated. As per the underlying Overlay District regulations, internally illuminated signs are expressly prohibited. Since a variance to this regulation was not applied for, internally illuminated signs cannot be installed. Further, it should be noted that this is a variance that the staff would not support. Unlike the other variations to this development which are being applied for due to the configuration of the parcel, the staff has consistently recommended that all signage within the "X" Overlay District be externally illuminated including most recently the redevelopment of the CVS on Belmont Avenue.

The staff would also recommend that the developer consider replacing the existing pylon sign with an externally illuminated monument sign, which would make it conforming to the underlying regulations.

Recommendation

Approve, with conditions.

Recommended Conditions (Neighborhood Commercial Design Overlay District)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the demolition and new construction of a structure(s) totaling more than one thousand (1,000) square feet at the property known as 572 Belmont Avenue (01235-0108) and 453 Dickinson Street (03910-0453).
3. The use shall be developed according to the plans and elevations, dated January 1, 2014, with the addition of conditions #4 through #18.
4. Any and all variances required shall be obtained prior to the issuing of a building permit.
5. One (1) street tree shall be planted within the empty tree pit along Belmont Avenue. The City Forester shall be consulted to determine size and variety.
6. The facility shall be closed no later than 2:00AM.
7. All landscaped areas and site shall be maintained and kept free of all debris, weeds and trash.
8. The building shall be maintained graffiti free.
9. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
10. The sidewalks and public treebelt shall be maintained, including snow removal.
11. The drive-up service operation shall not be audible from any residential/commercial abutters.
12. The dumpsters shall be completely enclosed.
13. There shall be no banners, streamers, pennants, or additional signs located on the property.
14. There shall be no non-accessory signs on the premises.
15. No signs or banners shall be attached to the light poles or any utility poles.
16. All wall signs shall be externally illuminated.
17. There shall be no electronic "running messages" or "flashing messages" allowed on any exterior sign.
18. There shall be no outside storage.
19. 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.

Recommended Conditions (Drive-up Service Window)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the operation of a drive-up service window at the property known as 572 Belmont Avenue (01235-0108) and 453 Dickinson Street (03910-0453).
3. The use shall be developed according to the plans and elevations, dated January 1, 2014, with the addition of conditions #4 through #18.
4. Any and all variances required shall be obtained prior to the issuing of a building permit.
5. One (1) street tree shall be planted within the empty tree pit along Belmont Avenue. The City Forester shall be consulted to determine size and variety.
6. The facility shall be closed no later than 2:00AM.
7. All landscaped areas and site shall be maintained and kept free of all debris, weeds and trash.
8. The building shall be maintained graffiti free.
9. All sidewalks shall remain at grade and shall not be depressed to accommodate the driveways.
10. The sidewalks and public treebelt shall be maintained, including snow removal.
11. The drive-up service operation shall not be audible from any residential/commercial abutters.

12. The dumpsters shall be completely enclosed.
13. There shall be no banners, streamers, pennants, or additional signs located on the property.
14. There shall be no non-accessory signs on the premises.
15. No signs or banners shall be attached to the light poles or any utility poles.
16. All wall signs shall be externally illuminated.
17. There shall be no electronic "running messages" or "flashing messages" allowed on any exterior sign.
18. There shall be no outside storage.
19. 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

1/24/14

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: 572 Belmont Avenue & ES Dickinson Street - 01235-0108

Landlord: Salmar Realty LLC -- Peter Martins

Stephen J. Loneragan: Treasurer/Collector

Attachment: Belmont_Ave_572_2014 [Revision 1] (2554 : 572 Belmont Avenue)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

1/24/14

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: 453 Dickinson Street -- 03910-0453

Landlord: Salmar Realty LLC – Peter Martins

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

Stephen J. Loneragan: Treasurer/Collector

Attachment: Belmont_Ave_572_2014 [Revision 1] (2554 : 572 Belmont Avenue)



Forest Park Civic Association
 P.O. Box 80709
 Springfield, MA 01138-0708
www.forestparkcivic.org
forestparkcivic.spfld@gmail.com

March 19, 2014

Mr. Paul Caron
 15 Crestview Road
 East Longmeadow, Massachusetts

Dear Mr. Caron:

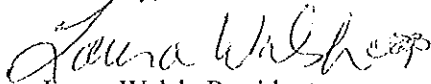
In regards to your request for support of a Special Permit to construct a drive-thru Dunkin Donuts at the current Belmont Avenue location, the Forest Park Civic Association, after hearing your request and further discussion, voted on Sunday March 2, 2014, in favor of the petition. Therefore, we would recommend to the City Council that this petition be granted.

As a neighborhood, we appreciate you involving us in the planning process and for listening to our wants and needs, especially in keeping with the character of our diverse neighborhood.

We feel that the renovations to the existing Dunkin Donuts facility will help create a more pedestrian friendly environment for the neighborhood, while also mitigating current traffic hazards.

Again, we appreciated and thank you for taking the time to come before the Forest Park Civic Association.

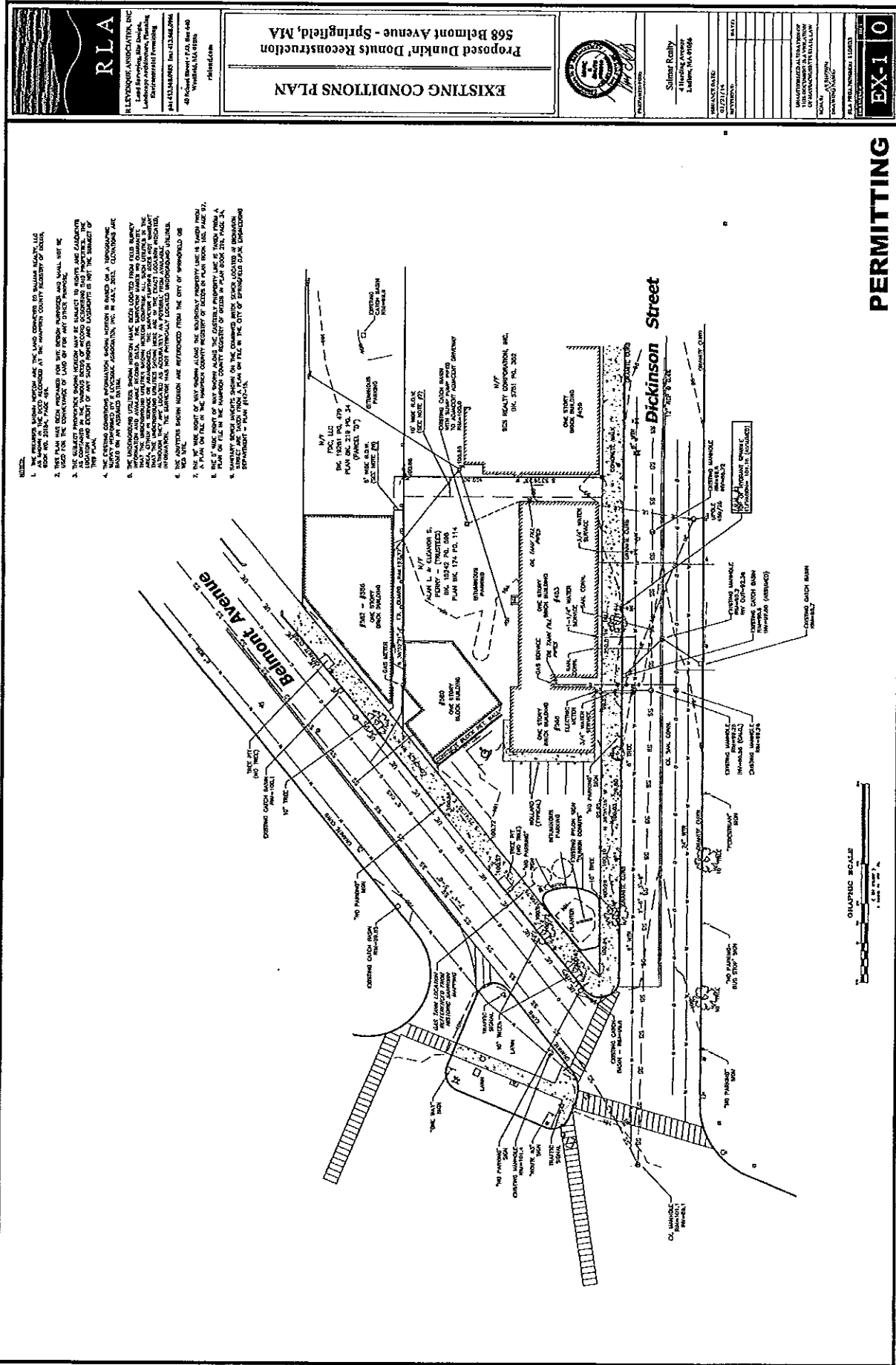
Sincerely,


 Laura Walsh, President
 77 Firglade Avenue
 Springfield, MA 01108

CC: Springfield City Council
 Springfield Office of Planning and Economic Development
 Springfield Zoning Board

Attachment: Belmont_Ave_572_2014 [Revision 1] (2554 : 572 Belmont Avenue)

Attachment: Belmont_Ave_572_2014 [Revision 1] (2554 : 572 Belmont Avenue)



Proposed Dunkin' Donuts Reconstruction
568 Belmont Avenue - Springfield, MA

4 Harding Avenue
Falmouth, MA 01906[illegible]

1. THE CONTRACTOR SHALL ADHER TO SHEET C-1, C-2, BATH SHEETS AND MAINTAIN PLAY SET FOR AUTOMATIC RECHARGING BITE LAYOUT.
2. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CROSS REFERENCE ALL INFORMATION CONTAINED IN OTHER SHEETS WITH THE INFORMATION PROVIDED HEREON.

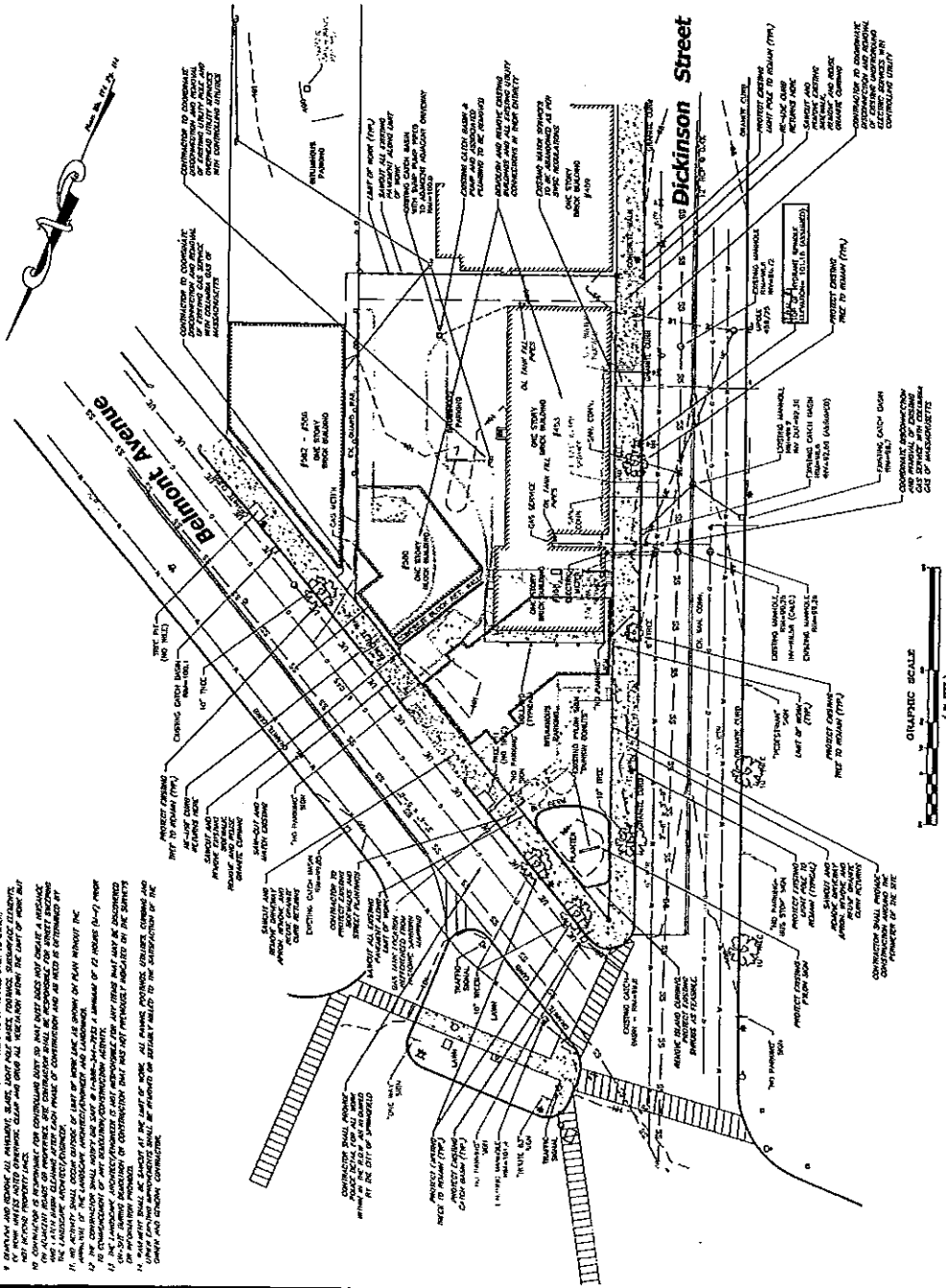
1. THE CONTRACTOR SHALL ADHER TO SHEET C-1, C-2, BATH SHEETS AND MAINTAIN PLAY SET FOR AUTOMATIC RECHARGING BITE LAYOUT.
2. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO CROSS REFERENCE ALL INFORMATION CONTAINED IN OTHER SHEETS WITH THE INFORMATION PROVIDED HEREON.

1. STAMP ALL PARALLEL AREAS AS BEING, INCLUDING PARALLEL SPACES
BETWEEN THE PARALLEL AREAS. STAMP ALL ACCESSIBLE RIDGE MARKINGS AND
STRAIGHTS USED FOR TRAVEL. STAMP ALL OTHER MARKINGS, INCLUDING
LANES, AND DIAGONAL BAY CENTERINGS. STAMP ALL OTHER MARKINGS
YELLOW IDENTIFY PLATE. ALL IDENTIFY PLATE SHALL COMPLY TO
ASAPD IDENTIFY PLATE "H".
2. STOP BARS SHALL BE 12" HIGH (NOTES).

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2. STOP BARS SHALL BE 12" HIGH (NOTES).

1. ALL ACCESSIBLE ROUTES, BALCONIES, AND ACCESSIBLE PARKING/LOADING AREAS, INCLUDING ALL ENTRANCES TO BUILDING SHALL ADHERE TO ARI CAN.
2. IF THE ARCHITECT PROVIDES ADDITIONAL ENTRANCES OR MEANS OF EGRESS, ACCESSIBLE ROUTES MAY BE REQUIRED.
3. IT IS THE RESPONSIBILITY OF THE ARCHITECT AND CONTRACTOR TO NOTIFY THE OWNER AND LANDSCAPE ARCHITECT OF ANY CHANGES TO THE PROPOSED DESIGN THAT WOULD AFFECT THE ACCESSIBILITY REQUIREMENTS OF THE PROPOSED BTL.
4. THE CONTRACTOR SHALL REMAIN ON SITE AT ALL MEETINGS OF ARI CAN AND SHALL BE RESPONSIBLE FOR CONFIRMING WITH S&B

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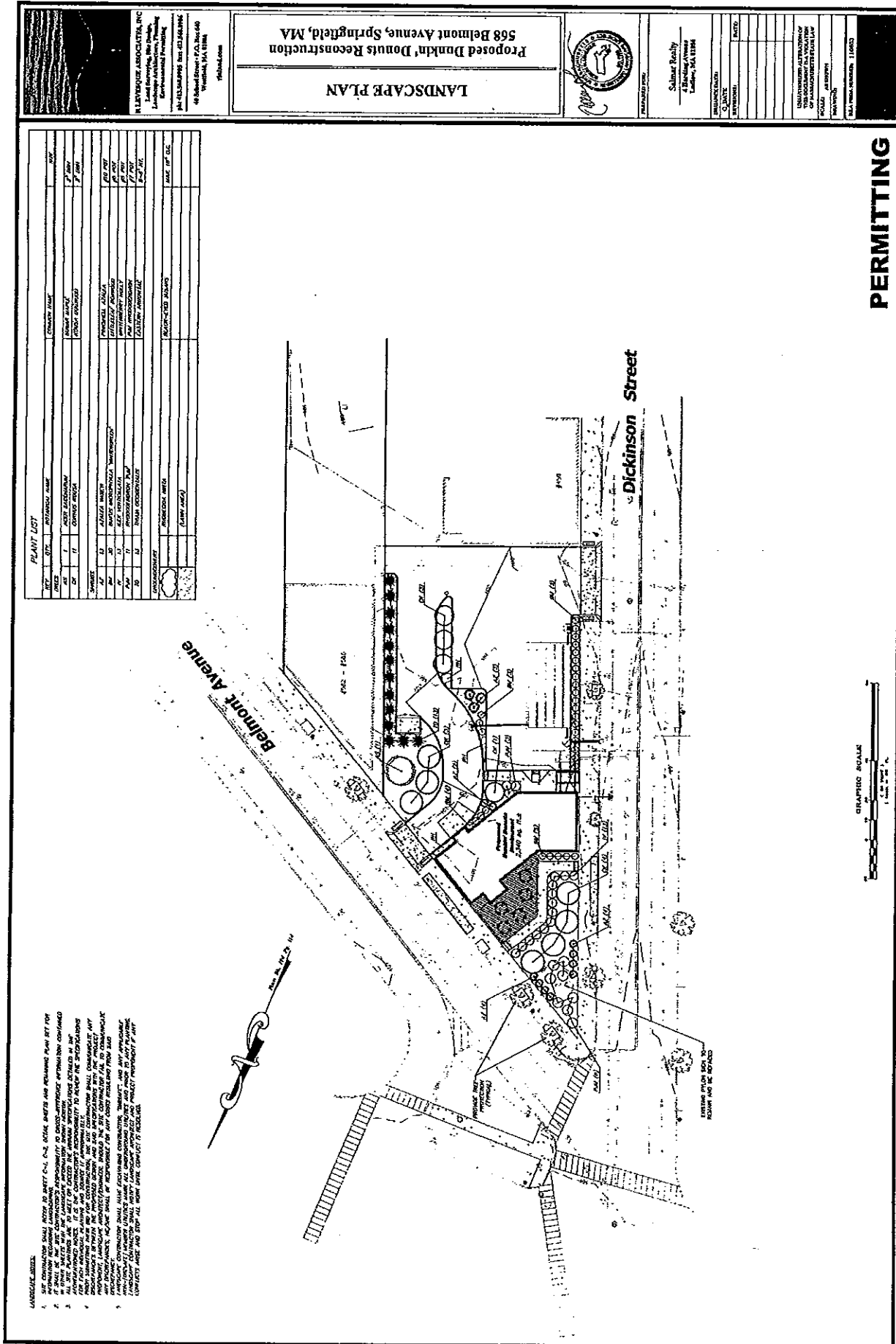


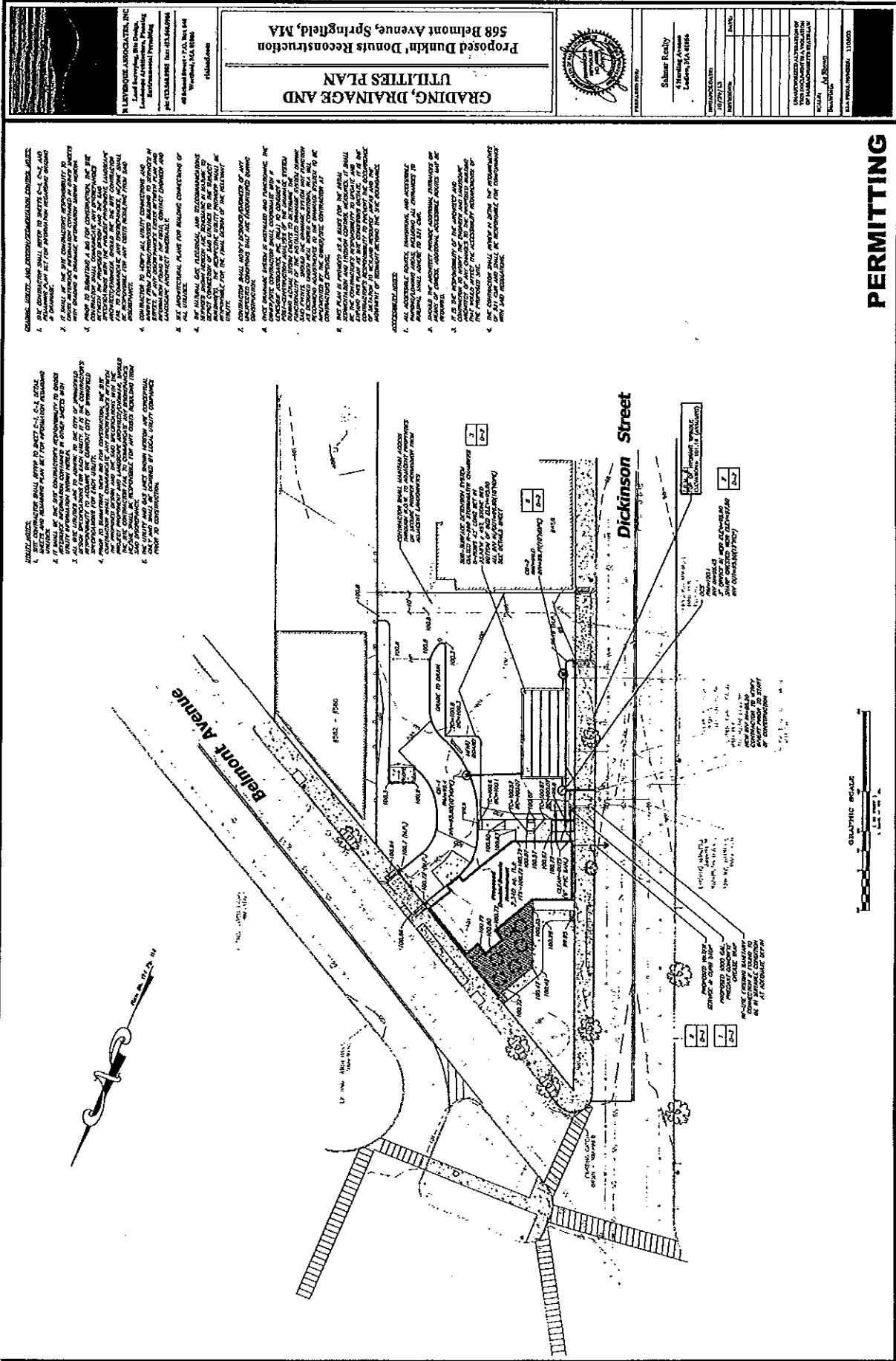
ORGANIC SOLIDS

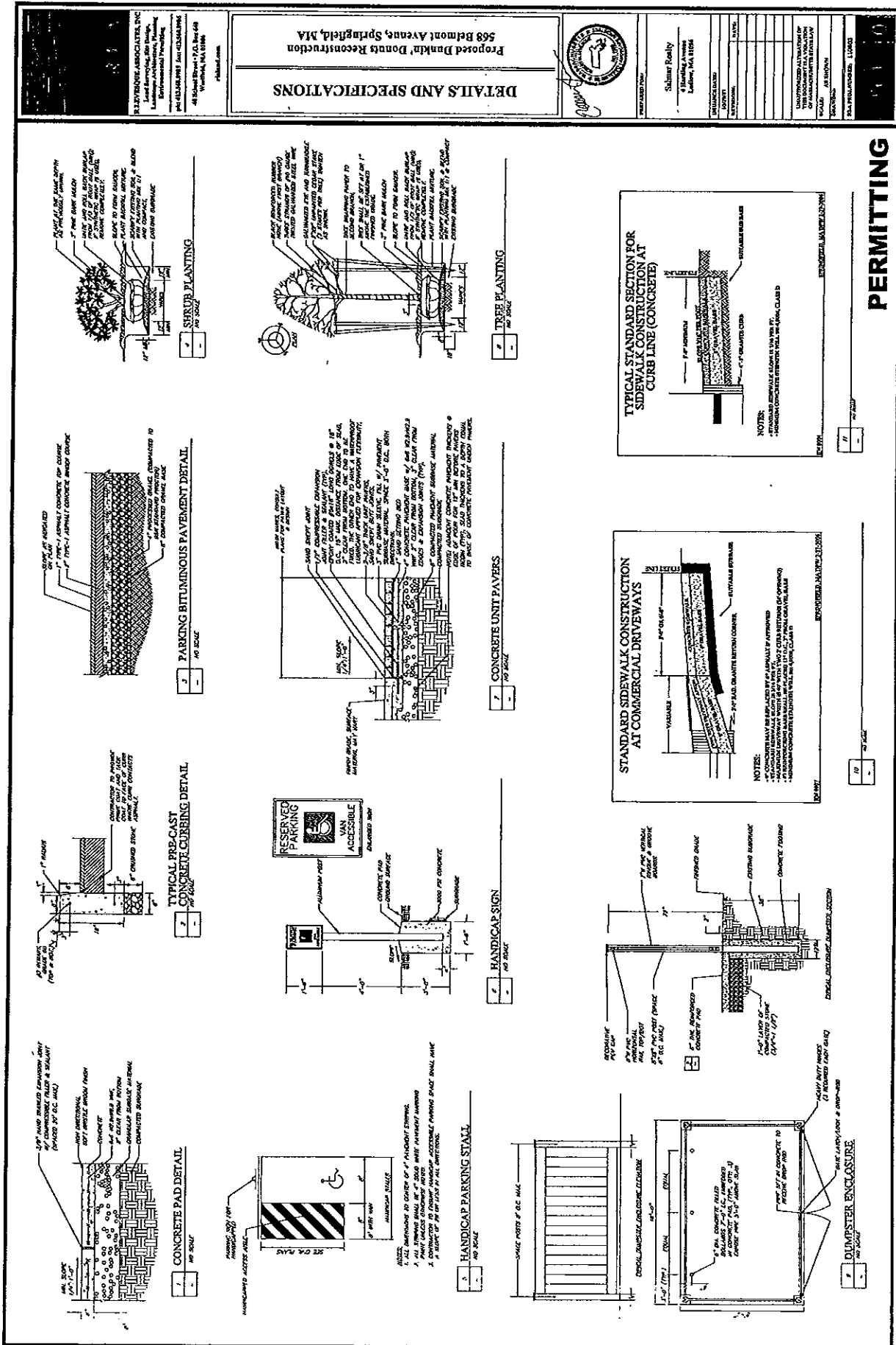
ST/DA/NOV/NOVNOB

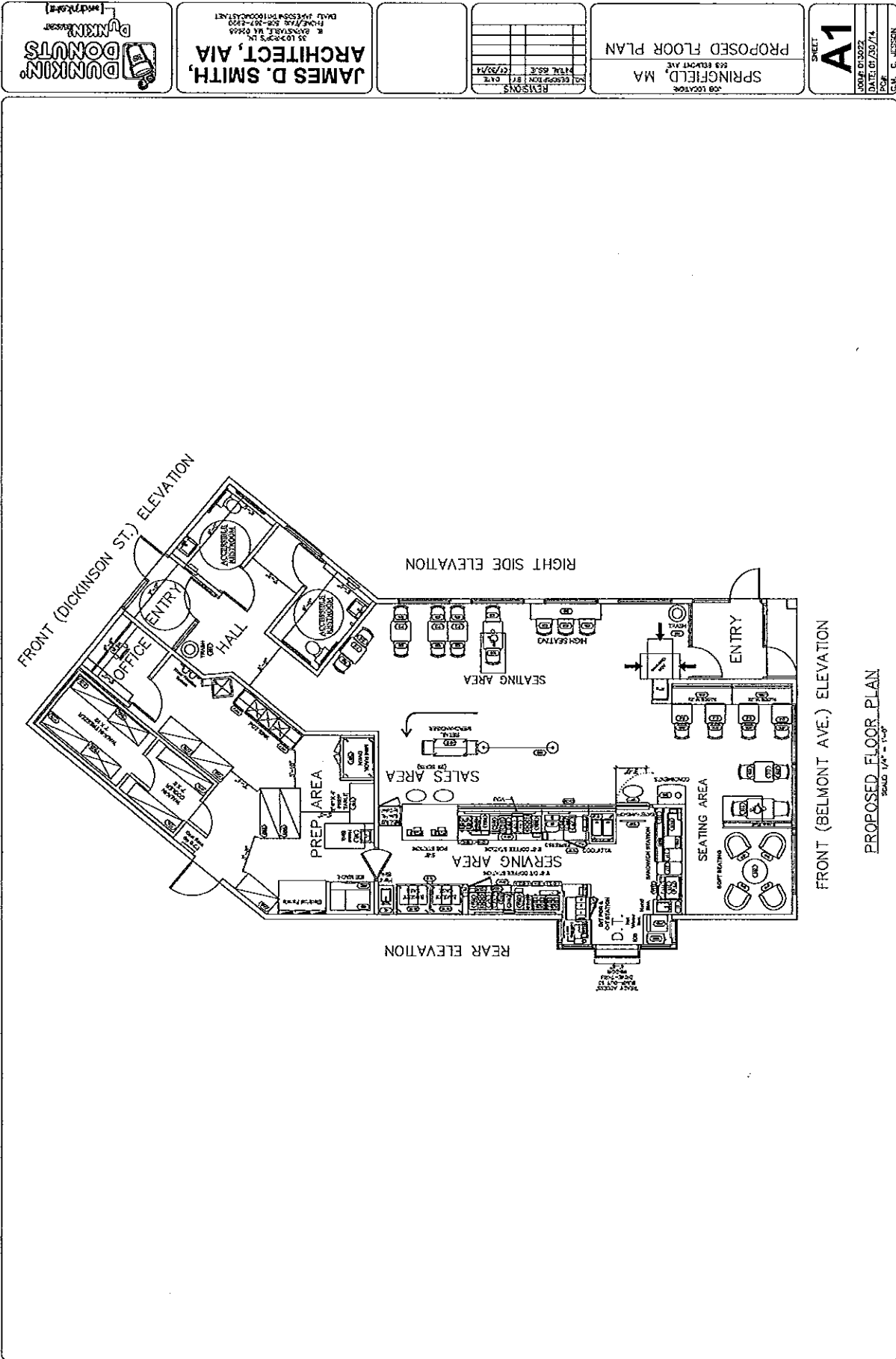
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Packet Pg. 55









Summer Av

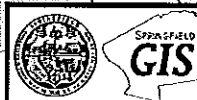
Belmont Av

Proposed Location

Dickinson St

Commonwealth Av

Trenton St



DATA SOURCE:

City of Springfield, Massachusetts

572 Belmont Ave &
453 Dickinson Street

Attachment: Belmont_Ave_572_2014 [Revision 1] (2554 : 572 Belmont Avenue)



City of Springfield

36 Court Street
Springfield, MA 01103

Meeting: 03/31/14 07:00 PM
Department: Planning and Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 2555

ADOPTED

PETITION (ID # 2555)

For a Special Permit for Motor Vehicle Sales at the Property Known as 350 Pasco Road (09540-0082), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Request: See Above
Owner: Craig J. Morel
By: Craig J. Morel
Petitioner: CJ's Towing Unlimited, Inc.
By: Craig J. Morel

RESULT: **ADOPTED [11 TO 0]**
MOVER: Orlando Ramos, Ward 8 Councilor
SECONDER: Timothy J. Rooke, At-Large Councilor
AYES: Luna, Twiggs, Shea, Walsh, Edwards, Ramos, Rooke, Allen, Hurst, Ashe, Fenton
ABSENT: Clodo Concepcion, Bud L. Williams

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

for a special permit for motor vehicle sales at the property known as 350 Pasco Road (09540-0082), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Mailing Address:

350 Pasco Road
Springfield, MA 01151

Owner:

Craig J. Morel

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

By: 
Craig J. Morel

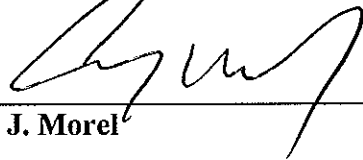
Mailing Address:

350 Pasco Road
Springfield, MA 01151

Petitioner:

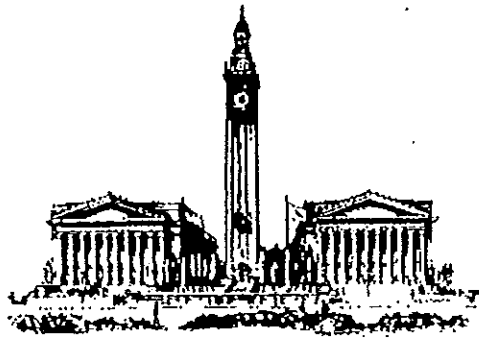
CJ's Towing Unlimited, Inc.

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

By: 
Craig J. Morel

Attachment: Pasco_Rd_350_Tax_Formal (2555 : 350 Pasco Road)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

2/21/2014

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: 350 Pasco Road – 09540-0082

Petitioner: CJ'S Towing Unlimited Inc

Landlord: Craig J Morel

Stephen J. Loneragan: Treasurer/Collector

Attachment: Pasco_Rd_350_Tax_Formal (2555 : 350 Pasco Road)

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

**350 PASCO ROAD (09540-0082)
MOTOR VEHICLE SALES**

General Information

Petitioner:	YMM Services, Inc.
Request:	Motor vehicle sales.
Proposed use of the property:	Motor vehicle sales.
Parcel Size:	296,687 s.f.
Compatibility with current planning documents:	The Indian Orchard Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Indian Orchard Neighborhood Council: 3-3-14
Tax Status:	SEE ATTACHED
Site Visit:	3-20-14
Hearing Date:	3-31-14

Neighborhood characteristics:

The parcel is located within the Indian Orchard Neighborhood and is zoned Industrial A. The site is located within an area that has a mixture of industrial uses.

To the north are manufacturing and warehouse operations zoned Industrial A.
To the south are the Boston and Albany Company railroad tracks.
To the east is a manufacturing operation zoned Industrial A.
To the west is conservation land zoned Industrial A.

Site plan review:

The petitioner has requested a special permit for motor vehicle sales at the property known as 350 Pasco Road. This is the current location of CJ's Towing. A special permit for the towing operation (junk yard) was issued in 2006.

After reviewing the plans and visiting the site, the staff does not object to the proposed request. As noted above, the site has been used for the storage of towed vehicles for the past seven (7) years. Further, after visiting the



site, the staff continues to be impressed with the overall condition of the property. The site is being kept in very good condition and the towed vehicles are all parked in an orderly fashion.

Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted for motor vehicle sales at the property known as 350 Pasco Road (09540-0082).
3. The use shall be developed as per the attached plans, with the addition of conditions #4 through #7.
4. The building shall be maintained free of all graffiti.
5. The site, including all landscaped areas, shall be maintained free of all weeds and debris.
6. There shall be no banners, streamers, pennants, or non-accessory signs located on the property.
7. There shall be no barb wire or razor wire attached to the fencing.
8. 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.



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

2/21/2014

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: 350 Pasco Road – 09540-0082

Petitioner: CJ'S Towing Unlimited Inc

Landlord: Craig J Morel

Stephen J. Lonergan: Treasurer/Collector

Attachment: Pasco_Rd_350_2014 [Revision 1] (2555 : 350 Pasco Road)

2006-0622

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS

2.4.b

TO: DATE : July 31, 2006

DEPARTMENT: FROM: Wayman Lee

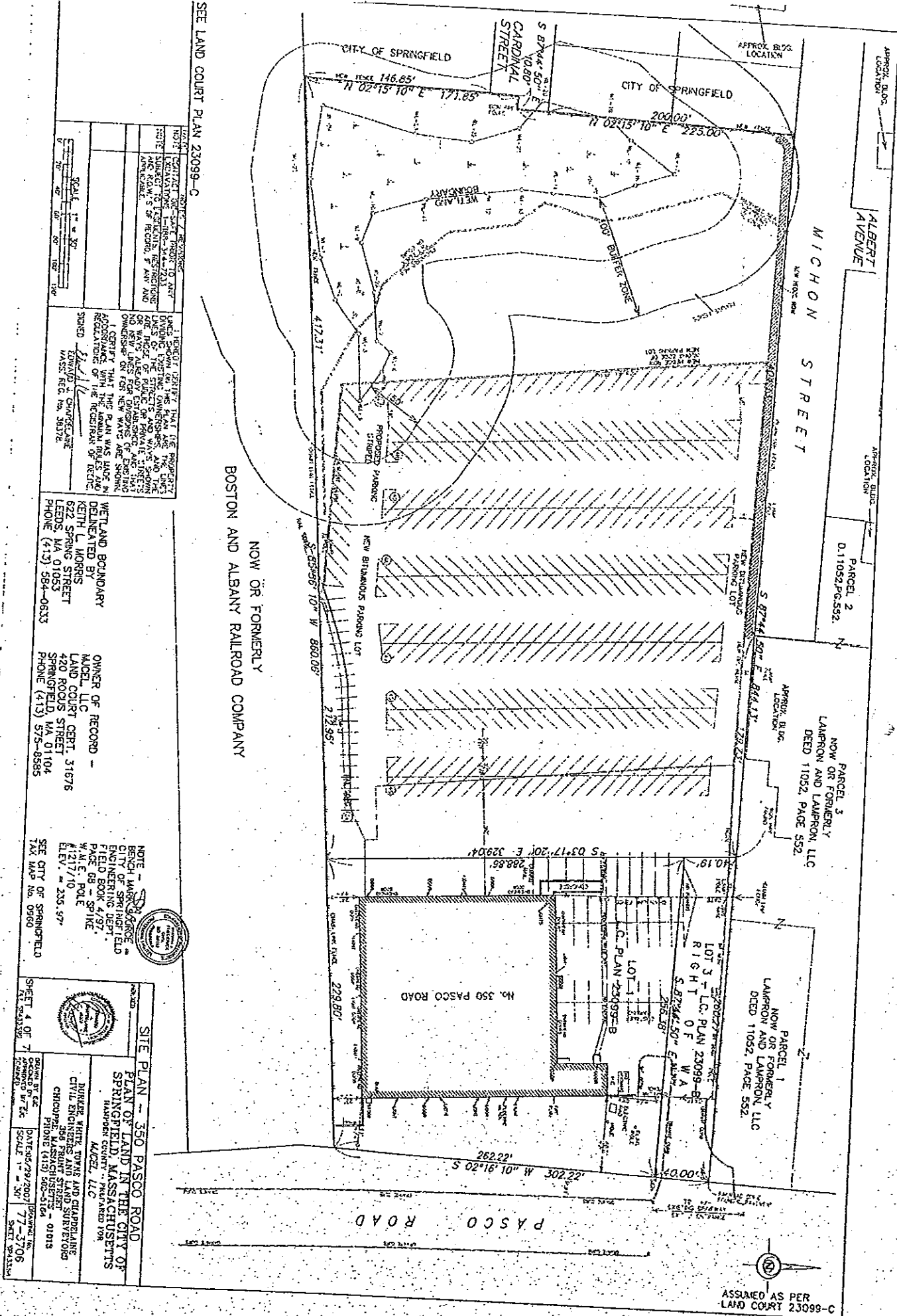
COPIES TO: DEPARTMENT: City Clerk

SUBJECT: Special Permit
350 Pasco Road

This is to inform you as a party in interest that at a special meeting of the City Council held on Thursday evening, February 9, 2006, it was voted by the Council in accordance with law to grant a Special Permit on the petition of Owner and Petitioner: MJCEL LLC, By: Craig J. Morel for a special permit to operate a motor vehicle storage (junk yard) at 350 Pasco Road (09540-0082) as allowed by Massachusetts General Laws and the Springfield Zoning Ordinance, Article XIV, Section 1401.3.p. with the following conditions:

1. No selling or storage of auto parts.
2. No crushing of vehicles (of any type).
3. No dismantling of vehicles (of any type)
4. No outside storage of any type of debris.
5. No guard dogs
6. Planting of trees and other natural plants to create a natural noise buffer along the northwest side of the residential boundary of his property.
7. That Albert and Dubois Street only be used in emergency situations.
8. Annual ground testing of his property with the results being submitted to the IOCC and made available to his abutters upon request.
9. This special permit is granted to these petitioners only.
10. This special permit is granted solely for motor vehicle storage (junk yard) at the property known as 350 Pasco Road (09540-0082).
11. The use shall be developed in accordance to the attached site plan, dated 12/13/2005, with the addition of conditions #4 though #10.
12. The yard shall be enclosed by a six (6) foot, opaque fence as per Article XV, Section 1508.
13. The petitioner shall be required to obtain a determination from the Springfield Conservation Commission that the proposed use is in compliance with any and all wetland regulations.
14. All areas proposed for the storage of vehicles shall be surfaced with bituminous concrete or an approved equal, within one (1) year of the date of this permit. Paving plan shall be submitted and approved by the Department of Public Works prior to issuing a Certificate of Occupancy.
15. This special permit shall be limited to the storage of motor vehicles and no other junk materials.

Attachment: Pasco_Rd_350_2014 [Revision 1] (2555 : 350 Pasco Road)





Attachment: Pasco_Rd_350_2014 [Revision 1] (2555 : 350 Pasco Road)

  	City of Springfield, Massachusetts
	350 Pasco Road