



CITY OF SPRINGFIELD

City Clerk's Office 5/21/2014 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 **Tuesday evening May 27, 2014** at 07:00 PM according to Section 12, Rules and Orders of the City Council.

City Clerk

Call to Order

7:00 PM Meeting called to order on May 27, 2014 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Special Permit Petitions

- (1.) For a Special Permit to Operate a Lodging House at the Property Known as 60 Cass Street (02480-0015), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Use Table 4-4, Section 6.3(2).

Request: See Above
Owner: Bilingual Veterans Outreach
Centers of Massachusetts, Inc.
By: Timothy J. Ryan, Esq.
Petitioner: Bilingual Veterans Outreach
Centers of Massachusetts, Inc.
By: Timothy J. Ryan, Esq.

ATTACHMENTS:

- Cass_St_60_Tax_Formal_2014(PDF)
- Cass_St_60_May_2014 (PDF)

Zoning Ordinances

- (1.) To Change the Zoning of the Property Known as 198 Belmont Avenue (01235-0040) from Residence C to Office A. 198 Belmont Avenue Recommend

PETITIONER: Smails, LLC

ADDRESS: 198 Belmont Avenue

CHANGE REQUESTED: Res C to Off A

ATTACHMENTS:

- 3163_198_Belmont_Ave (PDF)
- 3163_Belmont_Ave_198_2014_CC (PDF)

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 2608)**

Meeting: 05/27/14 07:00 PM

Department: Planning and Economic Development

Category: Special Permit

Prepared By: Phil Dromey

Initiator: Phil Dromey

Sponsors:

DOC ID: 2608

**For a Special Permit to Operate a Lodging House at the
Property Known as 60 Cass Street (02480-0015), as Allowed
by M.G.L. and the Springfield Zoning Ordinance, Article 4,
Use Table 4-4, Section 6.3(2).**

Request:	See Above
Owner:	Bilingual Veterans Outreach Centers of Massachusetts, Inc.
By:	Timothy J. Ryan, Esq.
Petitioner:	Bilingual Veterans Outreach Centers of Massachusetts, Inc.
By:	Timothy J. Ryan, Esq.

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

for a special permit to operate a lodging house at the property known as 60 Cass Street (02480-0015), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Use Table 4-4, Section 6.3(2).

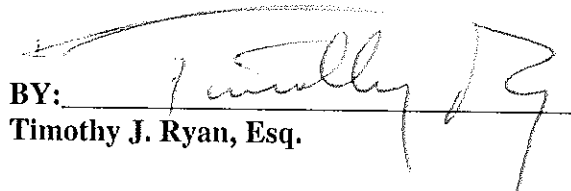
Mailing Address:

281 Franklin Street
Springfield, MA 01104

Owner & Petitioner:

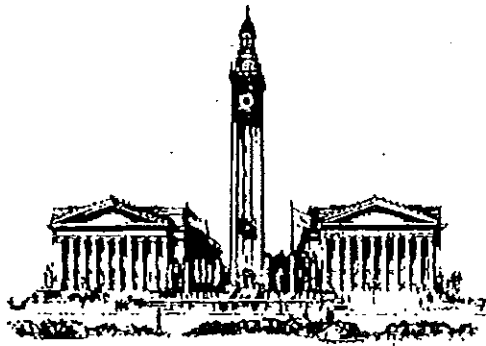
**Bilingual Veterans Outreach Centers of
Massachusetts, Inc.**

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

BY: 
Timothy J. Ryan, Esq.

Attachment: Cass_St_60_Tax_Formal_2014 (2608 : 60 Cass Street)

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

5/1/14

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: 60 Cass Street – 02480-0015

Petitioner: Bilingual Veterans Outreach Centers of Massachusetts, Inc.

Landlord: Bilingual Veterans Outreach Centers of Massachusetts, Inc.

Stephen J. Lonergan: Treasurer/Collector

Attachment: Cass_St_60_Tax_Formal_2014 (2608 : 60 Cass Street)

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

**60 CASS STREET (02480-0015)
LODGING HOUSE**

General Information

Petitioner:	Bilingual Veterans Outreach Centers of Massachusetts, Inc.
Request:	Operate a twenty (20) unit lodging house.
Proposed use of the property:	Lodging House
Size:	29,229 s.f.
Compatibility with current planning documents:	The Liberty Heights Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	Lower Liberty Heights Community Action Team: 5-6-14
Tax Status:	SEE ATTACHED
Site Visit:	5-15-14
Urban Renewal Status:	This parcel is not located within an urban renewal area.
Hearing Date:	5-27-14

Staff Analysis

Neighborhood characteristics:

The property is currently zoned Residence C and is located in an area that has a mixture of both commercial/industrial and residential uses.

- To the north are apartments zoned Business A.
- To the south is a warehouse zoned Industrial A.
- To the east are two and three family homes zoned Residence B.
- To the west is Gurdon Bill Park zoned Open Space.

Site plan review:

The petitioner has requested a special permit to operate a twenty (20) unit lodging house at the property known as 60 Cass Street. There is currently one (1) building on the property which is used as a Veteran's Outreach Center. In addition to the existing building, the petitioner intends to construct a twenty (20) unit, single-occupancy, veteran's residence with educational support services.

As the Council may be aware, this project was originally proposed back in 2010 as a thirty-two (32) unit development. At that time a zone change was required as the property had been zoned Industrial A, which did not allow residential uses. In addition to the zone change, a variance was also required as the project did not have the required parking. As noted above, the petitioner has now submitted a plan which reduces the number

of units from thirty-two (32) to twenty (20). As can be seen by the attached plans, twenty-one (21) off-street parking spaces are also being provided. Landscaping as well as decorative fencing will also be installed.

In reviewing the proposed plans and visiting the site, it was noted that there appears to be two (2) trees on the property that would fall under the City's Significant Tree Ordinance (Chapter 368). As per the Ordinance, a Significant Tree can only be removed with a permit from the City Forester. After reviewing the proposed plans, it only appears that one (1) of these trees would need to be removed to create the entrance to the new parking lot. The second tree, located at the southern side of the parcel appears to be outside the new building envelope. As such, the staff would strongly recommend that the petitioner make every effort to maintain this large shade tree.

Lastly, after visiting the site, it was noted that the existing building is in need of painting. If approved, the staff would strongly recommend that a condition be placed on the permit which requires the building to be re-painted as part of the overall development.



Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted to operate a twenty (20) unit lodging house at the properties known as 60 Cass Street (02480-0015).
3. The use shall be developed as per the attached plans and elevations, with the addition of conditions #4 through #11.
4. A full detailed site plan shall be submitted to the Department of Public Works for review and approval, prior to issuing a building permit.

5. The City Forester shall be contacted prior to any construction to determine if any significant trees are located on the property.
6. The existing chain link fencing shall be removed and replaced with decorative fencing as shown on the attached plans.
7. The existing building shall be re-painted.
8. The public sidewalk and tree-belt shall be maintained, including snow removal.
9. The buildings shall be maintained graffiti free.
10. All landscaping shall be installed as per the attached plans.
11. All landscaped areas shall be maintained free of all overgrowth, trash and debris.
12. 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

5/1/14

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:

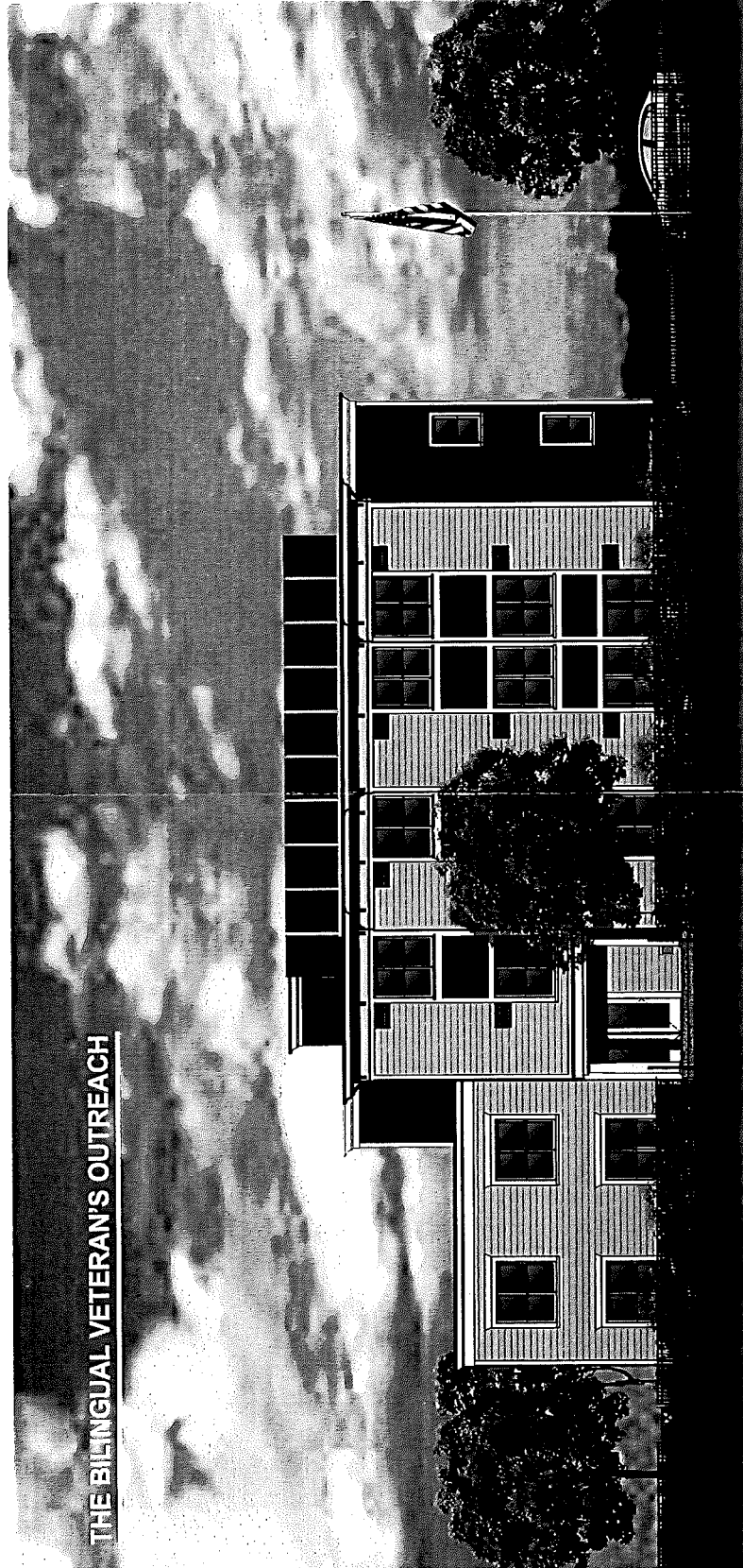
Special Permit: 60 Cass Street – 02480-0015

Petitioner: Bilingual Veterans Outreach Centers of Massachusetts, Inc.

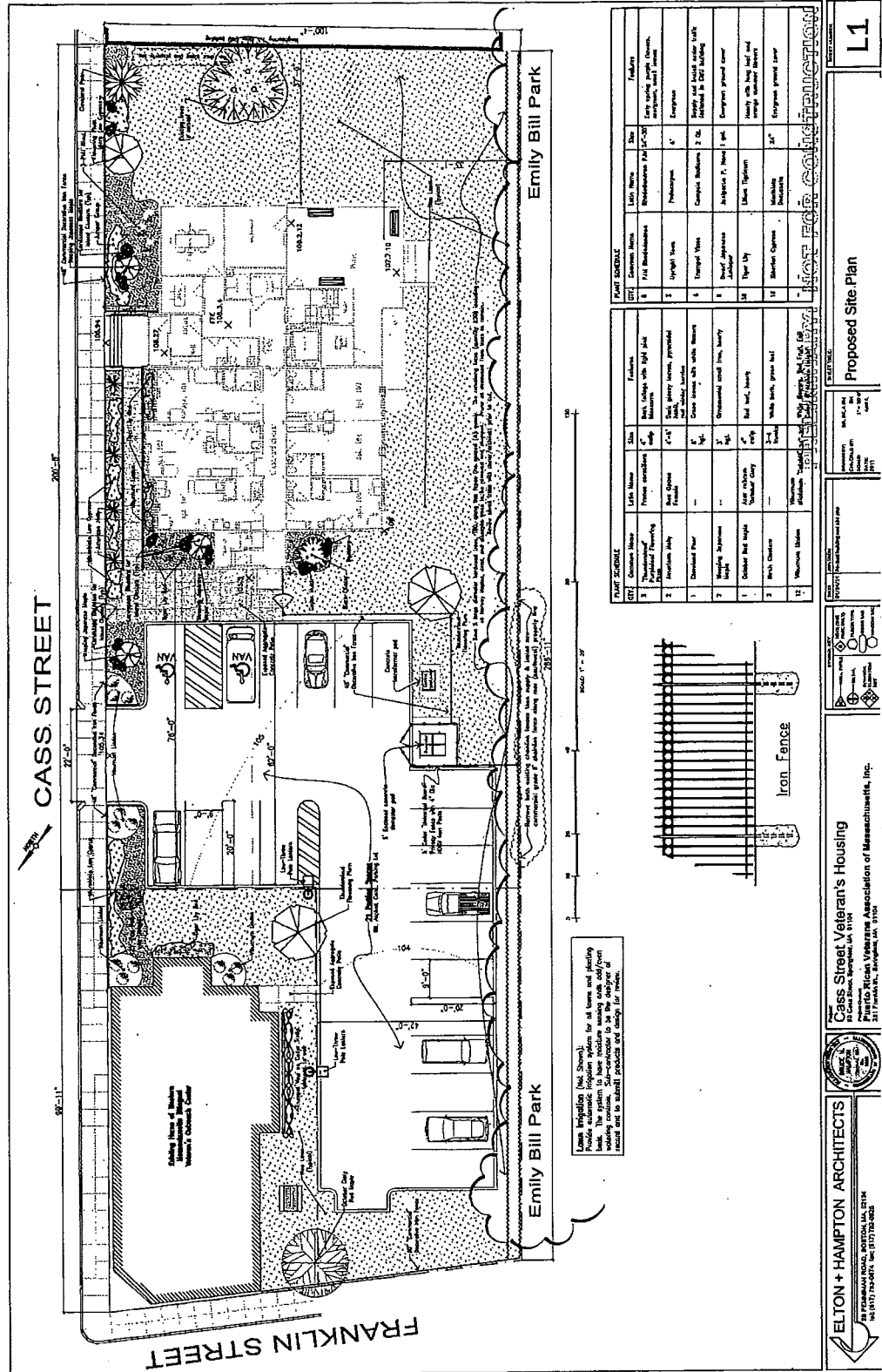
Landlord: Bilingual Veterans Outreach Centers of Massachusetts, Inc.

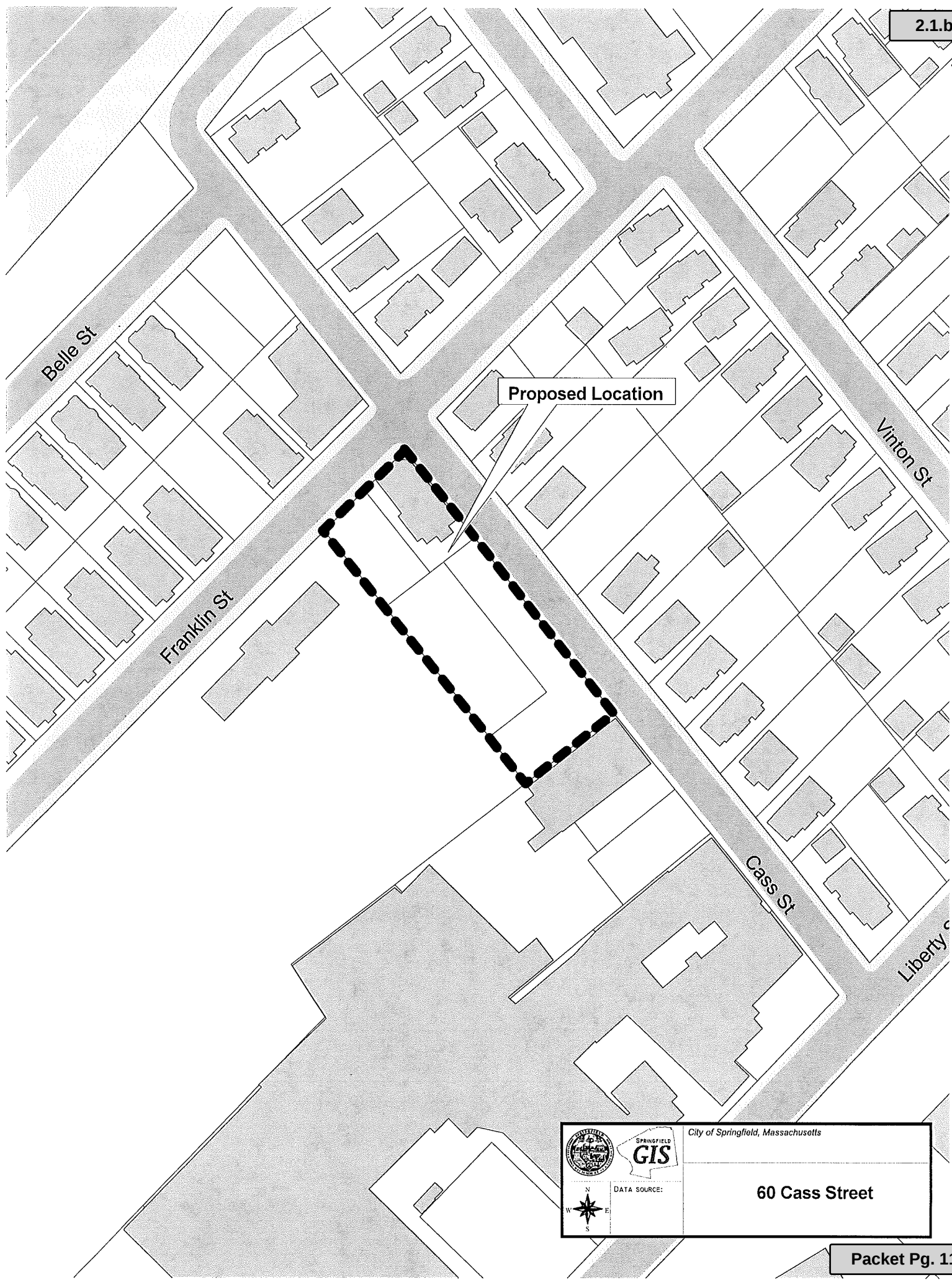
Stephen J. Loneragan: Treasurer/Collector

Attachment: Cass_St_60_May_2014 (2608 : 60 Cass Street)



60 Cass Street





 SPRINGFIELD GIS	City of Springfield, Massachusetts
	60 Cass Street

DATA SOURCE:

REPORT TO CITY COUNCIL**ZONE CHANGE HEARING****PLOT and SECTION#: 3163 Section #46****DATE: May 27, 2014**

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: Smails, LLC**ADDRESS:** 198 Belmont Avenue**CHANGE REQUESTED:** Res C to Off A**HISTORY:****05/19/14 City Council****RECEIVED 1ST STEP****Next: 05/27/14****RECOMMENDATION:** Recommend**Respectfully Submitted,**

Barbara Footit, Board Clerk

AMENDING SECTION 49 OF THE BUILDING ZONE MAP

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled “An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City”, text enacted, April 21, 1971, as amended, is hereby further amended by changing from the zoning on **Plot #3163 Section #46, Section Recommend** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Recommend Building Zone Map of the City of Springfield.**”

Approved as to Form:

Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on May 27, 2014, regarding the above Ordinance amendment.

Kerry Dietz, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FOURTEEN

AN ORDINANCE

AMENDING SECTION 46 OF THE BUILDING ZONE MAP

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

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled "An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City", text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence C** to **Office A** the zoning on **Plot #3163, Section 46** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "**Section 46 Building Zone Map of the City of Springfield.**"

Approved as to Form:

Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on April 16, 2014 regarding the above Ordinance amendment.

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

Katie Stebbins, Chairperson

Attachment: 3163_198_Belmont_Ave (2585 : 198 Belmont Avenue)



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FOURTEEN

AN ORDINANCE

AMENDING SECTION 46 BUILDING ZONE MAP

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled "An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City", text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence C** to **Office A** the zoning on **Plot #3163, Section 46** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "**Section 46 Building Zone Map of the City of Springfield.**"

Attachment: 3163_198_Belmont_Ave (2585 : 198 Belmont Avenue)

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3163
SECTION: 46

DATE: April 17, 2014

To the Honorable Mayor and City Council of the City of Springfield, Massachusetts, the Planning Board submits the following report on the Zone Change Petition, which was referred to the Board for its recommendation:

PETITIONER: Smalls, LLC

ADDRESS: 198 Belmont Avenue (01235-0040)

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

PETITIONER'S PURPOSE STATEMENT: Professional Offices

DATE OF PUBLIC HEARING: April 16, 2014

DATE OF FINAL DECISION: April 16, 2014

BOARD MEMBERS PRESENT and COUNT: (5) Mr. Cignoli, Mr. Daniele, Ms. McQuade, M. Morin, Ms. Stebbins

FINAL MOTION: Motion by Ms. McQuade, seconded by Mr. Daniele

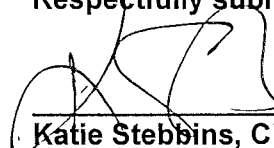
IN FAVOR: (5) Mr. Cignoli, Mr. Daniele, Ms. McQuade, Ms. Morin, Ms. Stebbins

OPPOSED: (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,



Katie Stebbins, Chairperson

Attachment: 3163_198_Belmont_Ave (2585 : 198 Belmont Avenue)

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

**198 BELMONT AVENUE (02135-0040)
RESIDENCE C TO OFFICE A**

GENERAL INFORMATION

Applicant:	Smails, LLC
Request:	Residence B to Office A
Location:	198 Belmont Avenue
Parcel Size:	6,075 s.f.
Purpose:	Professional Office
Surrounding Land Use and Zoning:	The property is located in the Forest Park neighborhood. This site is located in an area with primarily residential uses. The surrounding land uses include: To the north is an apartment building and law office zoned Residence C and Office A. To the south are single-family homes zoned Residence A. To the east is a single-family home zoned Residence C. To the west is a two-family house zoned Residence C.
Comprehensive/ Neighborhood Plan:	The Forest Park Neighborhood Plan shows no changes to this area.
Site Visit:	4-9-14
Urban Renewal Plan:	This parcel is not located within an urban renewal district.
Neighborhood Council Notification:	Forest Park Civic Association: 4-1-14
Planning Board Hearing Date:	4-16-14

SPECIAL INFORMATION

Traffic & Parking:	N/A
Physical Characteristics:	N/A
Other Notes:	N/A

ANALYSIS

The petitioner has requested to change the zoning of the property known as 198 Belmont Avenue from Residence C to Office A. The site is currently a vacant single-family home.

After a review of the proposed plans and visiting the site, the staff does not recommend approval of the proposed zone change.

While the staff certainly believes that the petitioner has done an outstanding job maintaining the office property directly across the street, the staff does have to be consistent with how land use decisions are determined.

Therefore, after a full review, the staff just simply believes that a change to Office A is not an appropriate land use for this location.

Again, while the staff fully agrees that this petitioner has a very good track record, the staff also believes that this recommendation needs to be based on land use and not the individual. As noted above, the site is located in a dense

residential section of Belmont Avenue and directly abuts both single and two-family homes. Additionally, the staff has also reviewed the zone change files for the property located across the street, which was rezoned in 1989, and at that time the staff also recommended against the proposed zone change citing the inappropriate land use.

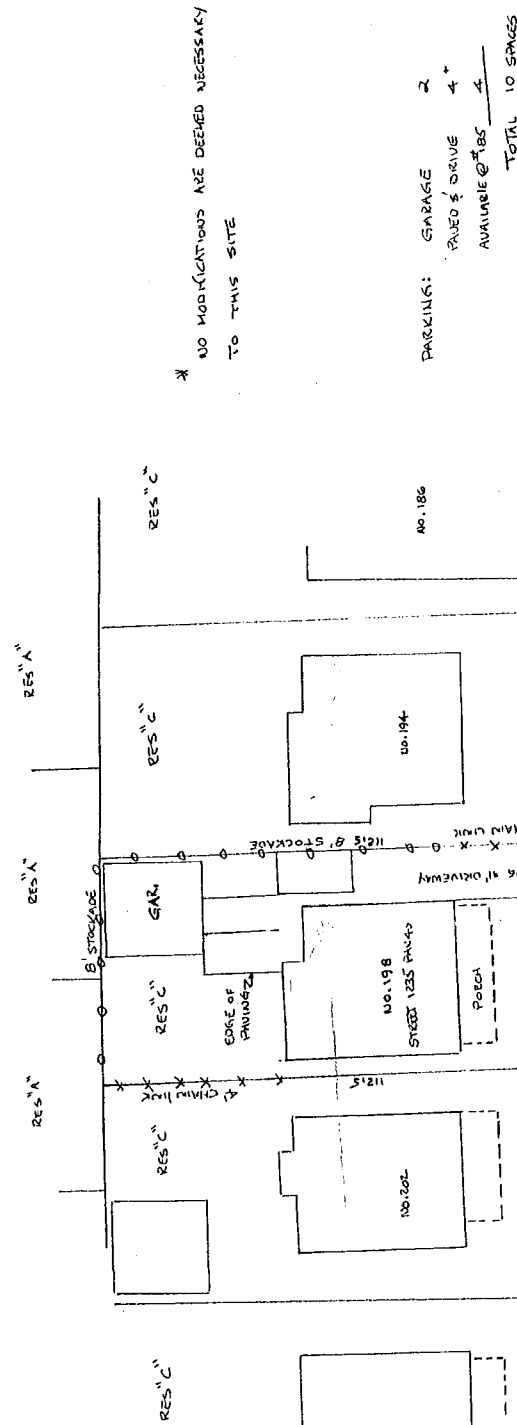
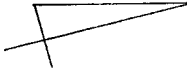
Further, while the plan does indicate that there is on-site parking, the staff believes that these parking spaces will not be adequate for an office use and therefore may have the potential for both employees and customers parking on Belmont Avenue. The staff believes that the layout of the proposed parking spaces as shown on the plan are extremely tight and questions the vehicles ability to actually utilize these spaces.

Lastly, as per the Springfield Zoning Ordinance, Office A requires a three (3) foot landscaped buffer along each side of the property which abuts a residential zone. In this particular case, this buffer would be required on three (3) sides of the property. This buffer can only be reduced and/or eliminated through a variance from the Board of Appeals.

RECOMMENDATION

Not to approve. The staff does not believe this is an appropriate land use for this dense residential neighborhood.





OTHER LOTS OF OWN / PHILIPS
WITH 4 GROSS PARKING SPACES

BELMONT AVENUE 150'

SITE PLAN NO. 198 BELMONT AVE SPRINGFIELD MA.	
SCALE: 1" = 20'	APPROVED BY
DATE: MARCH 14	DRAWN BY
DRAWING NUMBER	
STREET 1235 PAR. 40	

Proposed Location

Belmont Av

Marengo Pk

Euclid Av

Westernview St



SPRINGFIELD
GIS

City of Springfield, Massachusetts



DATA SOURCE:

198 Belmont Avenue

Attachment: 3163 Belmont Ave_198_2014_CC (2585 : 198 Belmont Avenue)

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3163
SECTION: 46

DATE: April 17, 2014

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PETITIONER'S PURPOSE STATEMENT: Professional Offices

DATE OF PUBLIC HEARING: April 16, 2014

DATE OF FINAL DECISION: April 16, 2014

BOARD MEMBERS PRESENT and COUNT: (5) Mr. Cignoli, Mr. Daniele, Ms. McQuade, M. Morin, Ms. Stebbins

FINAL MOTION: Motion by Ms. McQuade, seconded by Mr. Daniele

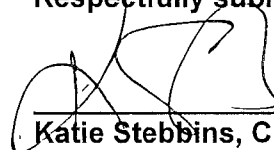
IN FAVOR: (5) Mr. Cignoli, Mr. Daniele, Ms. McQuade, Ms. Morin, Ms. Stebbins

OPPOSED: (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Katie Stebbins, Chairperson

Attachment: 3163_Belmont_Ave_198_2014_CC (2585 : 198 Belmont Avenue)



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FOURTEEN

AN ORDINANCE

AMENDING SECTION 46 OF THE BUILDING ZONE MAP

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

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled "An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City", text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence C** to **Office A** the zoning on **Plot #3163, Section 46** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "**Section 46 Building Zone Map of the City of Springfield.**"

Approved as to Form:

Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on April 16, 2014 regarding the above Ordinance amendment.

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

Katie Stebbins, Chairperson

RECEIVED
2014 APR 18 A 10:46
CITY CLERK'S OFFICE
SPRINGFIELD, MA

Attachment: 3163_Belmont_Ave_198_2014_CC (2585 : 198 Belmont Avenue)



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FOURTEEN

AN ORDINANCE

AMENDING SECTION 46 BUILDING ZONE MAP

RECEIVED
2014 APR 18 A 10:47
CITY CLERK'S OFFICE
SPRINGFIELD, MA

SECTION 1. The Zoning Ordinance of the City of Springfield, Massachusetts entitled "An Ordinance for Consolidating and Arranging, Enlarging, Modifying and Amending the Ordinances of the City Restricting Buildings, Structures, and Premises According to Their Use or Construction to Specified Parts of the City", text enacted, May 28, 2013, as amended, is hereby further amended by changing from **Residence C** to **Office A** the zoning on **Plot #3163, Section 46** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "**Section 46 Building Zone Map of the City of Springfield.**"

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