



City Council

Hearings Meeting

~ Draft ~

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

Tasheena Davis
4137876589

Monday, May 18, 2020

6:30 PM

City Hall -- Room 200

I. Hearings

6:30 PM Meeting called to order on May 18, 2020. THIS MEETING WILL BE HELD VIA ZOOM (remote collaboration technology).

Attendee Name	Title	Status	Arrived
Adam Gomez	Ward 1 Councilor	Remote	
Tracye Whitfield	Councilwoman	Remote	
Victor Davila	Councilman	Remote	
Michael A. Fenton	Ward 2 Councilor	Remote	
Sean Curran	Councilman	Remote	
Orlando Ramos	Vice President - Ward 8 Councilor	Remote	
Kateri B. Walsh	At-Large Councilor	Remote	
Marcus J Williams	Vice-President	Remote	
Timothy C. Allen	Ward 7 Councilor	Remote	
Jesse Lederman		Remote	
Melvin A. Edwards	Ward 3 Councilor	Remote	
Malo Brown	Councilman	Remote	
Justin Hurst	President	Remote	

Moment of Silence - Pledge of Allegiance

II. Special Permits

1. Petition (ID # 5553)

For a Special Permit to Operate a Drive-Up Service Window at the Properties Known as 705 Liberty Street (07770-0525), SS Liberty Street (07770-0526), 695-697 Liberty Street (07770-0527) and NS Passageway (09547-0004), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

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

COMMENTS - Current Meeting:

Paul Caron representing the petitioner, Salmar Realty, LLC, a Dunkin Donuts franchise group. They have worked with the Hungry Hill Neighborhood Council. The petition was approved two (2) years ago, but due to unforeseen circumstances, the special permit expired. The old gas station was a blight on the neighborhood and they have worked with the neighborhood council and Councilor Fenton on the petition to bring a state of the art Dunkin Donuts.

Rob Levesque of R. Levesque Associates addressed the Council on behalf of Salmar Realty, LLC. Mr. Levesque shared his screen of the plans with the Council. The plan is oriented north with a polygon shape for a 2000 square foot Dunkin Donuts very similar to what was seen before. The curb cut would be on the south side with drive thru traffic being separated from the rest of the traffic. Mr. Levesque stated DPW did provide a conditional approval with a few housekeeping items to take care of.

Councilor Hurst asked if there was any communication from opposing parties.

Clerk Davis stated there was no opposition yet received.

Councilor Ramos asked about the timeline.

Mr. Levesque stated that Peter Martin would speak to that.

Peter Martins, the timeline is up in the air at the current time. They are ready to start but it depends on how construction may be set up based on safe distancing guidelines during the pandemic. The lease goes through the end of September and it is a relocation from the current Dunkin Donuts across the street.

Councilor Fenton stated it was approved last time but the hours of operation were not included previously. He stated the hours of operation should be 5am-10pm for lobby hours and 5am-12am for drive thru hours. He explained this was in the last special permit but he wanted to give the petitioner a chance to respond. Councilor Fenton stated he would make that motion at the conclusion of the hearing.

The petitioner had no objection.

Councilor Walsh asked about hiring and how many hired would be from the neighborhood.

Mr. Martins stated that they would need to hire eight (8) to ten (10) additional workers. He explained the goal is always to hire as close to the physical location as possible.

Councilor Gomez asked about the time frame as constituents have asked but he withdrew the question as others have asked already. He stated Dunkin Donuts is always great to work with.

Councilor Davila asked about the traffic flow going from Liberty Street and back onto Liberty Street. He stated he is concerned about a bottleneck due to the gas station.

Mr. Levesque stated that Liberty is an artillery street so they thought that was the best plan. The existing Dunkin Donuts would be closed so much of the traffic already exists. They

viewed this closely with DPW and Mr. Chris Cignoli, DPW Director, asked specific questions about traffic flow.

Councilor Brown asked about going to the neighborhood council.

Mr. Caron stated he serves as the neighborhood liaison so he reached out to Councilor Fenton. There have been several meetings with the neighborhood council and everyone is in approval.

Mr. Phil Dromey stated the issue was brought up initially by DPW two years ago but it is his understanding that DPW has worked with Dunkin Donuts to make sure the traffic flow is alright.

Mr. Levesque stated that the first time they worked closely with DPW and did the same the second time around. He thanked Mr. Dromey and Mr. Cignoli for their efforts and hard work.

Councilor Gomez made a motion to continue, seconded by Councilor Whitfield. All being in favor by roll call vote, the item was continued.

ATTACHMENTS:

- Liberty_St_705_Tax_Formal (PDF)
- Liberty_St_705_2020 (PDF)

RESULT: CONTINUE

Next: 6/1/2020 5:00 PM

2. Petition (ID # 5558)

For a Special Permit Motor Vehicle Sales, as an Accessory Use, at the Property Known as 1103-1107 State Street (11110-0429)(Book#21733/Page#251), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.5.

Request:	See Above
Owner:	Amjad Hussain
By:	Amjad Hussain
Petitioner:	Amjad Hussain
By:	Amjad Hussain

COMMENTS - Current Meeting:

Mr. David Gaby spoke on behalf of the petitioner, Amjad Hussain. He stated he has been working with the petitioner for months to get the proposal ready. He stated there is a lot facing Dresden Street that was purchased by the petitioner and he would like to use it as a car lot. It will be a positive benefit to the neighborhood. The petitioner has run several businesses from that site including a gas station and a motor vehicle repair shop. He has kept the site clean and looks for the Council's support.

Councilor Brown stated litter is a concern. The petitioner has been instrumental in keeping the area clean by allowing for the disposal of things such as used tires. The petitioner has been a pillar and he wants to redesign the community on Dresden. He would like to do a litter campaign with the petitioner in the Mason Square area. He has done about one million

dollars (\$1,000,000) in redevelopment and looks to do another seventy thousand dollars(\$70,000) using his own resources. He asked the Council to support the petition.

Councilor Lederman asked why the petitioner was not present.

Councilor Brown stated that the petitioner did not receive proper notification. He doesn't know the petitioner personally but knows his work. He explained that minorities are not able to properly articulate what they need and may be scared to do it. Councilor Brown was chosen to speak on his behalf after speaking with him as the petitioner has helped the community.

Mr. Philip Dromey, Deputy Director of Planning, stated that notice was sent two (2) weeks ago as required but he has only been in contact with Mr. Gaby regarding the petition.

Councilor Davila asked about the deficiencies on the property that were sited.

Mr. Dromey stated that there is a tractor trailer parked on the site and under the current zoning ordinance the trailer is not allowed. He stated it does not prevent the Council from moving forward but the issue needs to be resolved. It can be resolved with a zoning variance or he could find another storage unit. He will be required to pave and landscape the lot which is included in his site plan.

Councilor Davila asked if it was only for used car sales and not for car repairs.

Mr. Dromey stated that is correct.

Councilor Brown stated he is confident in the petitioner and he has been in the community for twenty (20) years.

Councilor Gomez asked if the property was zoned correctly.

Mr. Dromey stated it is zoned Business A which is proper zoning.

Councilor Fenton asked about the identity of the petitioner and why it seemed to be shrouded in secrecy. He stated that even with an agent, the petitioner should be present. He asked if Mr. Gaby was an agent of the petitioner or speaking on behalf of the petitioner.

Mr. Gaby stated he is speaking on behalf of the petitioner and they were being told the item would be tabled up until 4pm this afternoon and he would not need to be present.

Councilor Fenton asked if the petitioner could be present in June.

Clerk Davis stated that if the President would allow the petitioner to speak, he may.

Councilor Hurst stated the next hearing will be June 1st and the petitioner should be present.

Motion to continue made by Councilor Gomez, seconded by Councilor Williams.

Councilor Lederman stated he would like to discuss the motion to continue.

Councilor Gomez withdrew his motion.

Mr. Dromey stated he has only worked with Mr. Gaby.

Attorney Moore stated that he is glad the question was asked. He stated it is important that the Council is acting as a quasi-judicial body for land use issues as the Council takes in documents and evidence. Individuals that advocate for the petitioner or speak on their behalf are not allowed to vote on the petition. Councilor Brown must recuse himself from the vote and he should not be participating beyond a ward representative. With remote participation being used, if Councilor Brown is to recuse himself and the petitioner is present for the next hearing, the whole proceeding will not be tainted.

Councilor Whitfield stated she would like to speak with the petitioner directly. Testimony on what has been done in the neighborhood is important and she has grown up here. She would like information on what will be done with the tractor trailer on the property.

Councilor Williams made a motion to continue, seconded by Councilor Gomez. All being in favor by roll call vote, the item was continued.

ATTACHMENTS:

- State_St_1103_Tax_Formal (PDF)
- State_St_1103_1107_2020 (PDF)

RESULT: CONTINUE

Next: 6/1/2020 5:00 PM

III. Zone Changes