



City Council

General Government Sub-Committee

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

~ Agenda ~

Tasheena Davis
4137876589

Wednesday, January 29, 2020

4:00 PM

City Hall -- Room 200

I. Call to Order

4:00 PM Meeting called to order on January 29, 2020 at City Hall -- Room 200, 36 Court Street, Springfield, MA.

II. Public Portion

III. Ordinances

1. Ordinance (ID # 5237)

Private Developments-DPW Approval Required

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HISTORY:

07/15/19 **City Council** **FIRST STEP**

08/27/19 **City Council**

Moved on to next step Councilman Edwards will bring to the city council as a whole for consideration.

09/03/19 **City Council**

Councilor Gomez stated the private way has been a major issue. He explained past developers have constructed homes on private ways and have not brought those streets up to Department of Public Works standards. This Ordinance will require them to do so.

Councilor Lederman rose in support of the ordinance. He stated that there are many home owners who have purchased properties on private ways that were not made aware of what it meant in terms of there access to City services.

Councilor Fenton asked if the intent of this is to require private ways to be constructed up to Department of Public Works engineer standards of public way

Councilor Ramos said any developer that constructs a building or residence on a dirt road would have to pave the road to the standards of Department of Public Works of the City of Springfield.

Councilor Fenton said that Mass Subdivision Control law is really what dictates here. Councilor Fenton said he does not think we can regulate in light of the Subdivision Control Law.

Councilor Ramos said that it was reviewed by the Law Department and approved.

Councilor Fenton asked City Solicitor Edward Pikula if he can speak to the review and approval by the Law Department.

City Solicitor Edward Pikula said that the law department did receive it and send it to Department of Public work for review. Subdivision control law is under the Planning Board, so we cant have any Ordinance that conflicts with the Subdivision Control Law.

Councilor Ramos made a motion to committee, seconded by Councilor Edwards.

09/16/19 City Council COMMITTEE

Councilor Ramos is the lead sponsor of this legislation and stated that the purpose is straight forward, trying to prevent contractors from not paving streets in new sub divisions. We need clarification that there is no conflict with State Laws.

Councilor Fenton added that the laws on Public Ways and Private Ways in Massachusetts are very complicated and we need clarification from the City's Law Department.

Chris Cignoli, Director of DPW will talk with City Solicitor and get clarification and the matter can be brought out of Committee at such time.

10/07/19 City Council COMMITTEE

Councilor Ramos asked the Law Department if there was a legal opinion on the item yet.

Edward Pikula, City Solicitor, stated he is working on an opinion as this is a complex issue. He explained that it is complicated as the subdivision control regulations, DPW authority and Planning Board authority have to be reconciled with the City Council authority.

10/21/19 City Council COMMITTEE

Councilor Ramos asked if the Law Department could provide an opinion as was requested.

Edward Pikula, City Solicitor, explained he needed additional time to draft an opinion.

Councilor Ramos explained the item would remain in committee.

11/18/19 City Council REFERRED TO COMMITTEE
Next: 12/02/19

Councilor Ramos asked that the item remain in Committee as he is waiting for a legal opinion.

12/16/19 City Council RECEIVED REPORT

Councilor Ramos stated that he would like the item to remain in Committee. First step was passed in September but he just received the requested opinion during the first week of December. He explained the intent was to prevent developers from building projects and leaving the roads as dirt roads which is a large problem in the Indian Orchard area with all of the Industrial zoned parcels. He explained the revisions by Atty. Pikula are being reviewed by DPW and the Building Department.

01/13/20 City Council