



City of Springfield

Hearings Meeting

~ Final ~

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

Linda Fitzpatrick
413-787-6559

Monday, October 26, 2015

7:00 PM

Springfield City Hall -- Council Chambers

I. Hearings

7:00 PM Meeting called to order on October 26, 2015 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

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

Moment of Silence - Pledge of Allegiance

II. Special Permits

1. Petition (ID # 3203)

For a Special Permit for a Residential Project Containing More Than One (1) Dwelling Unit Per Lot at the Property Known as 425 Central Street (02560-0132), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 2.1(2).

Request: See Above
Owner: Springfield Housing Authority
By: Wallace Kisiel
Petitioner: Springfield Housing Authority
By: Wallace Kisiel

COMMENTS - Current Meeting:

Justin Hurst, **Hearing held at which Wallace Kisiel of the Springfield Housing Authority appeared on behalf of the Owner and Petitioner Springfield Housing Authority (SHA) and spoke in favor stating that the request is to allow more than 1 dwelling per lot at the property known as 425 Central Street and to convert a former 8 unit apartment building into 2, 2-family dwelling thus reducing the density. Councilor Shea asked if the neighbors were happy with the new building and Mr. Kisiel said that SHA had met with the neighbors and the Maple High Six Corners Neighborhood Council and they both have**

approved the project. Councilor Edwards spoke on behalf of the Maple High Six Corners Neighborhood Council stating that the Maple High Six Corners Neighborhood Council had indeed approved the project. Phil Dromey, Deputy Director of Planning spoke stating that the lot could in fact be used for a 8 unit apartment but SHA has agreed to the reduce the project to 2, 2-family dwelling and no one appeared in opposition and the hearing was closed and after debate the Special Permit with conditions was granted by the following roll call vote.

ATTACHMENTS:

- Central_St_425_Tax_Formal (PDF)

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Williams, Hurst, Edwards, Walsh, Fenton
ABSENT:	E. Henry Twiggs, Zaida Luna

2. Petition (ID # 3209)

To Amend an Existing Special Permit (Drive-Up Service Window), Granted September 1997, by Allowing a Change in the Petitioner and the Deletion of Condition #4 (No Ground Sign), at the Property Known as 1363 Allen Street (00280-0892), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 19.1.

Request:	See Above
Owner:	Berkshire Bank
By:	Peter Merwin
Petitioner:	Berkshire Bank
By:	Peter Merwin

COMMENTS - Current Meeting:

Hearing held at which Peter Merwin, VP of Facilities for Berkshire Bank appeared on behalf of the Owner and Petitioner Berkshire Bank and spoke in favor stating that the request is to amend an existing special permit by allowing a change in the Petitioner from Hampden Saving Bank to Berkshire Bank and deleting condition #4 prohibiting a ground sign on the property. Mr. Merwin said that new sign was approved by the Zoning Administrator and Building Department. Mary Dionne and Walter Gould of the Outer Belt Civic Association appeared in opposition and spoke stating that the sign is a safety hazard and obstruct the view from patrons leaving the bank and has nothing to do with the drive-up window and asked that the special permit be sent to committee. Councilor Allen said he had some concerns about the safety of the sign and made a motion to refer to committee and was seconded by Councilor Rooke and the hearing was not closed.

ATTACHMENTS:

- Allen_St_1363_Tax_Formal (PDF)
- Allen_St_1363_2015 (PDF)

RESULT:	REFER TO COMMITTEE
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Next: 11/23/2015 7:00 PM

Motion To: A. Motion to Refer to Committee

COMMENTS - Current Meeting:

Councilor Allen said he had some concerns about the safety of the sign and made a motion to refer to committee and was seconded by Councilor Rooke and said motion passed by a majority voice vote with Councilors Twiggs and Luna absent and was referred to the Special Permit Review Committee.

RESULT:	ADOPTED VOICE
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3. Petition (ID # 3229)

For a Special Permit for a Changing Image Sign, Exceeding Twenty Four (24) Square Feet, at the Property Known as 603 East Columbus Avenue (04303-0595), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 9, Section 9.3.70.

Request:	See Above
Owner:	Balise Automotive Realty, LP
By:	Timothy Ryan, Esquire
Petitioner:	Balise Automotive Realty, LP
By:	Timothy Ryan, Esquire

COMMENTS - Current Meeting:

Hearing held at which Attorney Timothy Ryan appeared on behalf of the Owner and Petitioner Balise Automotive Realty, LP along with James Balise, President of Balise Motors and Kimberley Mason of Associate Builders and spoke in favor stating that the request to install a changing image ground sign. Attorney Ryan said the Balise has build a \$10 million new automotive dealerships along East Columbus Avenue and the ground sign would be a 300 square foot face of a total 475 square foot sign and the Petitioner had meet with the South End Citizens Council and they had approved the project. James Balise spoke in favor saying that East Columbus Avenue is the gateway to Springfield and he believes that the dealerships and the sign would improve the image of Springfield. Leo Florian, President of the South End Citizens Council spoke in favor stating that Balise has been in the South End for over 89 years and is a first class operation and every promise that they have made - they have kept and the South End Citizens Council voted to approve the project. Mitch Bolotin a property owner at 511-585 East Columbus Avenue appeared and spoke in favor of the project saying it would be good for the South End and citizens of the City. Russ Seelig appeared in opposition stating that the image sign is a digital sign and the sign is a violation of the new zoning ordinance and 20 times larger than the maximum size allowed by ordinance. Councilor Williams asked attorney Ryan about the sign being in violation of the zoning ordinance and Attorney Ryan said that Balise could put up 6 100 square foot sign and this is a better result with one sign. Councilor Williams then asked Phil Dromey, Deputy Director of Planning to comment on the sign size and Mr. Dromey said that Balise could put up more ground signs but he was not sure they could put 6 additional signs and Balise would need a variance from the Board of Appeals for the height and size of the sign and may also need State approval and is not a billboard. Councilor Shea made a motion to refer to committee because the Petitioner needs a variance from the Board of Appeals and was seconded by Councilor Concepcion and the hearing was not closed.

ATTACHMENTS:

- 603_E_Columbus_Ave_Tax_Formal (PDF)
- E_Columbus_Ave_603_2015 (PDF)

RESULT: REFER TO COMMITTEE**Next: 11/23/2015 7:00 PM****Motion To:** A. Motion to Refer to Committee**COMMENTS - Current Meeting:**

Councilor Shea made a motion to refer to committee because the Petitioner needs a variance from the Board of Appeals and was seconded by Councilor Concepcion and said motion passed by a majority voice vote with Councilor Rooke voting no and Councilors Twiggs and Luna absent and was referred to the Special Permit Review Committee.

RESULT: ADOPTED VOICE

Zoning Changes

4. Zoning Ordinance 2015-9

To Change the Zoning of the Properties Known as 282 Central Street (02560-0053), SS Florence Street (05200-0120) and NS Central Street (02560-0055 & 0056) from Residence B to Commercial A.

PETITIONER: Ayala Enterprise, LLC

ADDRESS: 282 Central Street, SS Florence Street &
NS Central Street

CHANGE REQUESTED: Res B to Com A

HISTORY:

10/19/15 City Council RECEIVED 1ST STEP
Next: 10/26/15

COMMENTS - Current Meeting:

Read for first time on October 19, 2015 and the Council received the Report and Passed 1st step and was referred to the Committee on Ordinances by an unanimous voice vote and public hearing is set for Monday, October 26, 2015. The Planning Board recommendation is to approve.

Read and hearing held in which Kathleen Lindberg appeared on behalf of the Owner and Petitioner Ayala Enterprise, LLC and spoke requesting a zone change from Residence B to Commercial A at 282 Central Street, SS Florence Street, NS Central Street seeking to construct a maintenance garage to assist in maintaining the 20 unit apartment building on the property and would allow for accessory parking. Councilor Edwards spoke on behalf of the Maple High Six Corners Neighborhood Council stating that the Maple High Six Corners Neighborhood Council had approved the project and said that Petitioner along with other developers have produced housing projects along Central Street have transformed the corridor for the better and no one appeared in opposition and the hearing was closed.

The Committee on Enrollment met on October 26, 2015 and found the zone change to be

properly enrolled and referred the Zone Change to the full Council for passage and the Council passed the Zone Change by the following roll called vote.

ATTACHMENTS:

- 3178_282_Central_St_2015_CC (PDF)
- 3178_282_Central_St_2015 (PDF)

RESULT:	ADOPTED [10 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Kateri B. Walsh, At-Large Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Hurst, Edwards, Walsh, Fenton
ABSENT:	Bud L. Williams, E. Henry Twiggs, Zaida Luna


City of Springfield

36 Court Street
Springfield, MA 01103

ADOPTED
PETITION (ID # 3203)

Meeting: 10/26/15 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3203

**For a Special Permit for a Residential Project Containing
More Than One (1) Dwelling Unit Per Lot at the Property
Known as 425 Central Street (02560-0132), as Allowed by
M.G.L. and the Springfield Zoning Ordinance Article 4, Table
4-4, Section 2.1(2).**

Request:	See Above
Owner:	Springfield Housing Authority
By:	Wallace Kisiel
Petitioner:	Springfield Housing Authority
By:	Wallace Kisiel

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Ashe, Allen, Concepcion, Shea, Ramos, Rooke, Williams, Hurst, Edwards, Walsh, Fenton
ABSENT:	E. Henry Twiggs, Zaida Luna

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

for a special permit for a residential project containing more than one (1) dwelling unit per lot at the property known as 425 Central Street (02560-0132), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 2.1(2).

Mailing Address:

60 Congress Street
Springfield, MA 01104

Owner & Petitioner:

Springfield Housing Authority

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

By: 
Wallace Kisiel

Attachment: Central_St_425_Tax_Formal (3203 : 425 Central Street)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

September 3, 2015

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: 425 Central Street – (02560-0132)

Petitioner: Springfield Housing Authority

Landlord: Springfield Housing Authority

Stephen J. Loneragan: Treasurer/Collector

Attachment: Central_St_425_Tax_Formal (3203 : 425 Central Street)


City of Springfield

36 Court Street
Springfield, MA 01103

TABLED

PETITION (ID # 3209)

Meeting: 10/26/15 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3209

To Amend an Existing Special Permit (Drive-Up Service Window), Granted September 1997, by Allowing a Change in the Petitioner and the Deletion of Condition #4 (No Ground Sign), at the Property Known as 1363 Allen Street (00280-0892), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 19.1.

Request:	See Above
Owner:	Berkshire Bank
By:	Peter Merwin
Petitioner:	Berkshire Bank
By:	Peter Merwin

RESULT: REFER TO COMMITTEE

Next: 11/23/2015 7:00 PM

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

to amend an existing special permit (drive-up service window), granted September 1997, by allowing a change in the petitioner and the deletion of condition #4 (no ground sign), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 19.1.

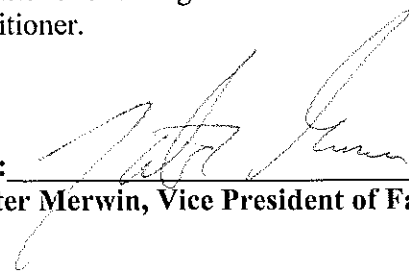
Mailing Address:

24 North Street
Pittsfield, MA 01201

Owner & Petitioner:

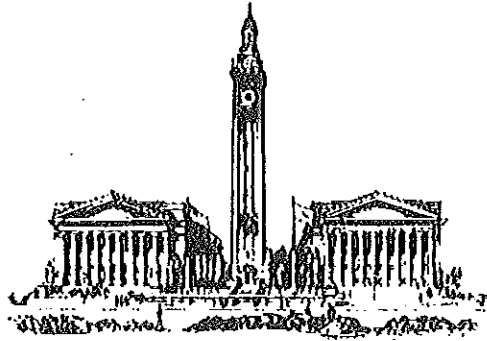
Berkshire Bank

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

By: 
Peter Merwin, Vice President of Facilities

Attachment: Allen_St_1363_Tax_Formal (3209 : 1363 Allen Street)

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

August 31, 2015

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: 1363 Allen Street -- (00280-0892)

Petitioner: Berkshire Bank

Property Owner: Hampden Savings Bank -- Now Known As: Berkshire Bank

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

Stephen J. Loneragan: Treasurer/Collector

Attachment: Allen_St_1363_Tax_Formal (3209 : 1363 Allen Street)

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

1363 ALLEN STREET

**AMEND AN EXISTING SPECIAL PERMIT (DRIVE-UP WINDOW) BY ALLOWING
A CHANGE IN THE PETITIONER AND THE DELETION OF CONDITION #4
(GROUND SIGN)**

General Information

Petitioner:	Berkshire Bank
Request:	To amend an existing special permit (drive-up window), granted September 1997, by allowing a change in the petitioner and the deletion of condition #4 (ground sign).
Proposed use of the property:	Berkshire Bank
Parcel Size:	17,084 s.f.
Compatibility with current planning documents:	The Sixteen Acres neighborhood plan shows no changes to this area.
Neighborhood council notification:	Outerbelt Civic Association: 8-31-15
Tax Status:	SEE ATTACHED
Site Visit:	10-5-15
Hearing Date:	10-26-15

Neighborhood characteristics:

The property is located in the Sixteen Acres neighborhood and is located in an area that has a mix of commercial and residential uses. The surrounding land uses include:

- To the north is a single-family house zoned Residence A.
- To the south are a number of retail operations zoned Business A.
- To the east is the Talmadge Elementary School zoned Business A and Residence A.
- To the west are a dance school and vacant lot zoned Business A and Residence A.

Site plan review:

The petitioner has requested to amend an existing special permit (drive-up service window), granted September 1997, by allowing a change in the petitioner and the deletion of condition #4 at the property known as 1363 Allen Street. Condition #4 current prohibits the installation of a ground sign. This site was the former location of Hampden Savings Bank and is now the current location of Berkshire Bank.

Attachment: Allen_St_1363_2015 (3209 : 1363 Allen Street)

After reviewing the application and visiting the site, the staff does not oppose the proposed request. With regards to the proposed ground sign, it should be noted that the ground sign has already been installed. The petitioner did complete a sign application and the permit was approved and issued by the Zoning Administrator. It was only after the permit had been issued and the sign was installed that it was determined that the sign permit had been issued in error due to the condition placed on the 1997 special permit.



Again, after visiting the site, the staff does not object to allowing the ground sign to remain. As can be seen in the attached photo, the staff feels the sign is appropriately scaled for this area and is keeping with similar signs along this section of Allen Street.

Recommendation

Approve, with conditions.

Recommended Conditions:

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for a drive-up service window at the property known as 1363 Allen Street (00280-0892).
3. All conditions placed on the September 10, 1997 special permit shall remain in effect with the exception of condition #4.
4. 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 \$200 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

August 31, 2015

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: 1363 Allen Street – (00280-0892)

Petitioner: Berkshire Bank

Property Owner: Hampden Savings Bank – Now Known As: Berkshire Bank

Stephen J. Loneragan: Treasurer/Collector

Attachment: Allen_St_1363_2015 (3209 : 1363 Allen Street)

DEPARTMENTAL AND INTERDEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS

2.2.b

DATE: September 10, 1997

TO: *Planning*

FROM: William J. Metzger

DEPARTMENT:

DEPARTMENT: City Clerk

COPIES TO:

SUBJECT: Special Permit:
1363 Allen Street ✓

This is to inform you that at a meeting of the City Council held on Monday evening, August 18, 1997, it was voted by the Council in accordance with law to grant a Special Permit on the petition of Owner and Petitioner: Hampden Savings Bank, By: Thomas R. Burton, President, for the right to have a drive-up window at 1363 Allen Street (Hampden Savings Bank) as provided by M.G.L. and section 1519.1 of the Springfield Zoning Ordinance with the following restrictions:

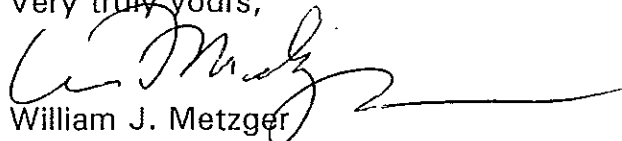
1. This Special Permit is granted to this petitioner only.
2. The drive-up windows shall be constructed in accordance with attached site plan, unless otherwise stated in these conditions.
3. There shall be no change or alteration of the treebelt and the existing sidewalk shall remain at-grade. The new curb cut shall be a ramped apron over the existing sidewalk.
4. There shall be no ground sign at 1363 Allen Street.

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

REASONS: (1) The specific site is an appropriate location for use, structure, or condition. (2) The use developed will not adversely affect the neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the proposed use.

This permit becomes effective on September 10, 1997.

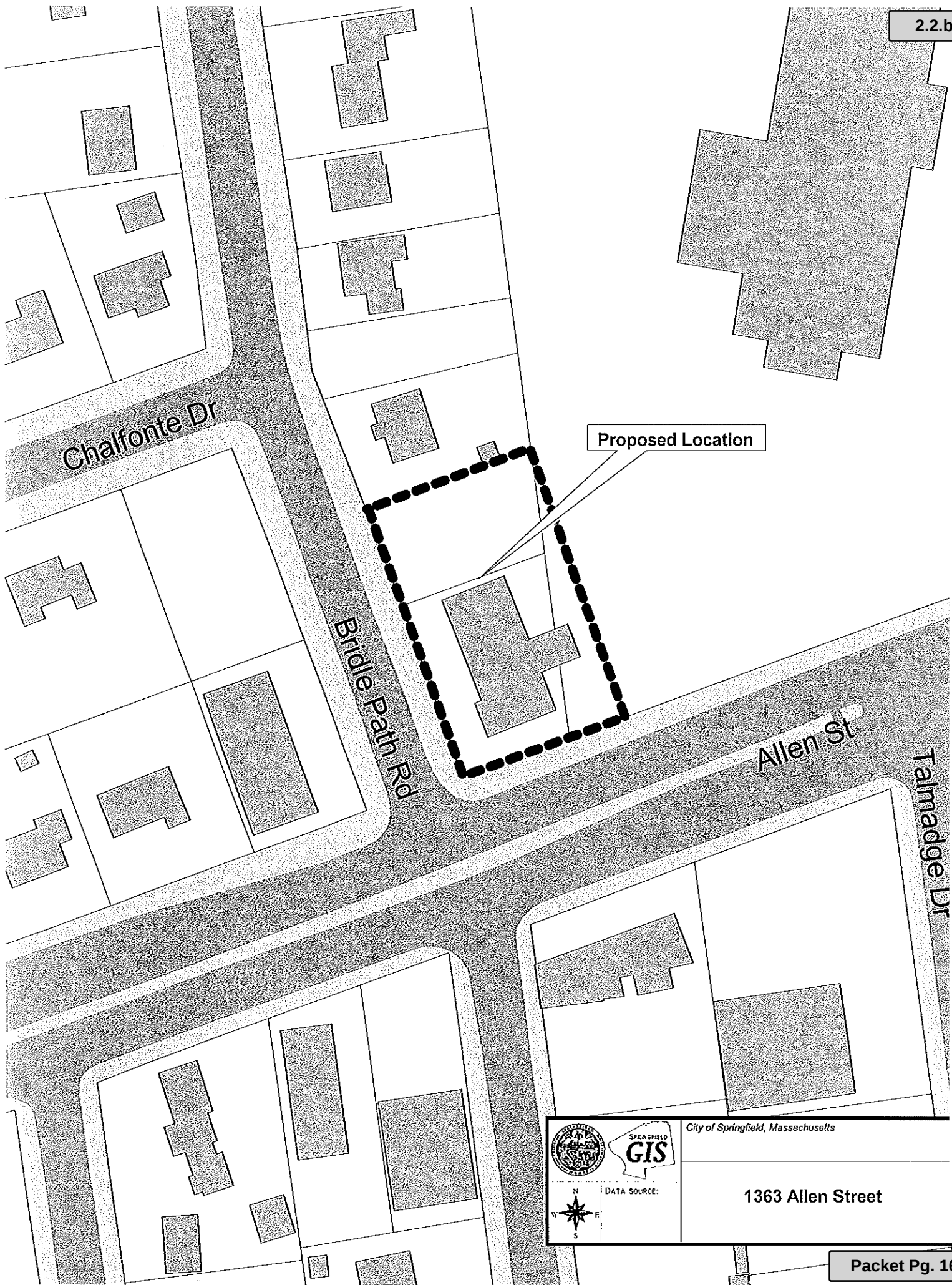
Very truly yours,


William J. Metzger
City Clerk

WJM/laf

Packet Pg. 15

Attachment: Allen St 1363 2015 (3209 : 1363 Allen Street)



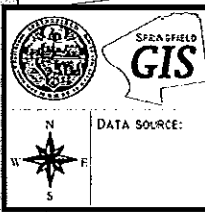
Proposed Location

Chalfonte Dr

Bridle Path Rd

Allen St

Talmadge Dr



City of Springfield, Massachusetts

DATA SOURCE:

1363 Allen Street

Attachment: Allen_St_1363_2015 (3209 : 1363 Allen Street)


City of Springfield

36 Court Street
Springfield, MA 01103

TABLED

PETITION (ID # 3229)

Meeting: 10/26/15 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3229

**For a Special Permit for a Changing Image Sign, Exceeding
Twenty Four (24) Square Feet, at the Property Known as 603
East Columbus Avenue (04303-0595), as Allowed by M.G.L.
and the Springfield Zoning Ordinance, Article 9, Section
9.3.70.**

Request:	See Above
Owner:	Balise Automotive Realty, LP
By:	Timothy Ryan, Esquire
Petitioner:	Balise Automotive Realty, LP
By:	Timothy Ryan, Esquire

RESULT: REFER TO COMMITTEE

Next: 11/23/2015 7:00 PM

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

for a special permit for a changing image sign, exceeding twenty four (24) square feet, at the property known as 603 East Columbus Avenue (04303-0595), as allowed by M.G.L. and the Springfield Zoning Ordinance, Article 9, Section 9.3.70.

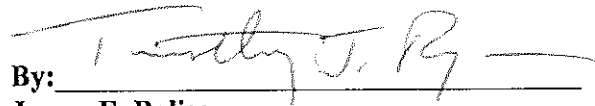
Mailing Address:

1399 Riverdale Street
 West Springfield, MA 01089

Owner & Petitioner:

Balise Automotive Realty, LP

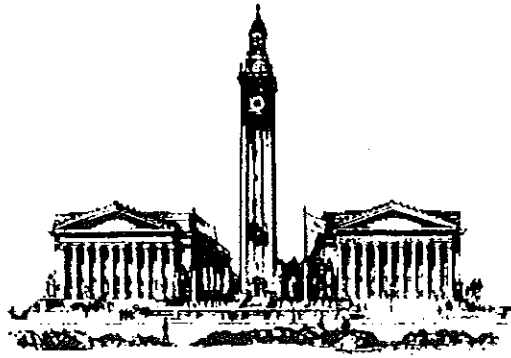
I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

By: 

James E. Balise

*As Attorney For
 Balise Automotive Realty LP*

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

September 16, 2015

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: 683 East Columbus Avenue – (04303-0595)

Petitioner: Balise Automotive Realty LP

Property Owner: Balise Automotive Realty LP (James E. Balise)

Stephen J. Lonergan: Treasurer/Collector

Attachment: 603 E Columbus Ave Tax Formal (3229 : 603 East Columbus Avenue)

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

**603 EAST COLUMBUS AVENUE
CHANGING IMAGE SIGN EXCEEDING TWENTY FOUR (24) SQUARE FEET**

General Information

Petitioner:	Balise Automotive Realty, LP
Request:	To install a changing image ground sign, exceeding twenty four (24) square feet.
Proposed use of the property:	Auto dealership
Parcel Size:	167,820 s.f.
Compatibility with current planning documents:	The South End neighborhood plan shows no changes to this area.
Neighborhood council notification:	South End Citizens Council: 10-7-15
Tax Status:	SEE ATTACHED
Site Visit:	10-8-15
Hearing Date:	10-26-15

Neighborhood characteristics:

The property is located in the South End neighborhood and is located in an area with primarily commercial/industrial uses. The surrounding land uses include:

- To the north are an office building and additional automotive sales zoned Industrial A.
- To the south is a commercial office complex zoned Industrial A.
- To the east is the new Rescue Mission zoned Business B.
- To the west is interstate 91.

Site plan review:

The petitioner has requested a special permit to install a changing image ground sign, which will exceed twenty four (24) square feet, at the property known as 603 East Columbus Avenue. This is currently the location of the newly renovated Balise/Hyundai automotive dealership. The plans submitted indicated that the proposed changing image sign portion of the sign will have a total of three hundred (300) square feet with the total square footage of the sign to be four hundred and seventy five (475) square feet. After reviewing the plans and visiting the site, the staff has the following comments.

First and foremost, the staff certainly wants to stress that it recognizes and applauds the significant financial investment that has been made at this location, however, the staff does have very strong concerns about this proposal. The main concern that the staff has with this proposed sign is its overall size. As noted above, the

proposed changing image portion of this sign will have a total of three hundred (300) square feet. This is currently more than twelve (12) times larger than what is currently allowed by-right under the current zoning regulations. Further, the overall size of the ground sign is proposed to be four hundred and seventy five (475) square feet, which is almost five (5) times larger than what is currently allowed for a ground sign in a commercial district. Under the current zoning regulations, a ground sign is allowed to be no larger than one hundred (100) square feet.



Again, while the staff recognizes the investment made at this location and understands that this is a long established business, the staff fails to grasp the need for such a large sign. While the staff concedes the need for signage to advertise a particular business, this site currently has very good visibility from not only East Columbus Avenue but also Interstate 91. There are also numerous wall signs already located on the new building which, again, can clearly be seen from both East Columbus Avenue and I-91. The staff firmly believes that installing a ground sign, which meets the underlying regulations or is even slightly larger, would be more than adequate to meet the advertising needs of this business. Additionally, the staff is very concerned about the precedent that would be set, across the City, by allowing such a large sign. Further, due to the fact that this sign exceeds the underlying zoning regulations, in addition to the special permit from the City Council, a variance is also going to be needed from the Springfield Board of Appeals.

Additionally, it needs to be noted that the proposed sign will have an overall height of forty five (45) feet. Under the current zoning regulations, a ground sign is allowed to be no higher than thirty (30) feet, unless the business is located along the I-91 corridor. In that case, a sign is allowed to go ten (10) feet higher than the elevation of the highway. If the elevation of I-91 is thirty five (35) feet at the point where this sign is to be installed, then the sign would be allowed to be forty five feet (45) high. If not, an additional variance will be required. At the time this analysis was being drafted, that information had not yet been provided by the petitioner.

Lastly, it needs to be stressed that under the current zoning regulations, a changing image sign is not allowed to show moving images. It is unclear to the staff as to whether this proposed sign will show static or moving images. If this sign is proposed to show moving images, an additional variance will be required by the Board of Appeals as movement is specially prohibited under the current zoning regulations. It also needs to be stressed that only advertisements for the on premise uses can be shown on this sign. This sign cannot be used to advertise off-site businesses and/or events, as this would then be considered to be a billboard.

If after balancing the opposing views, the Council decides to approve this proposed sign, the staff would strongly recommend that conditions be placed on the permit. These conditions should include that the changing image sign should not be allowed to contain moving or scrolling graphics, the sign should be turned off when the site is not in operation and that this sign shall not be installed until a variance has been approved by the Board of Appeals.

Recommendation

Not to approve.

Recommended Conditions: (IF APPROVED)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for changing image sign, exceeding twenty four (24) square feet, at the property known as 603 East Columbus Avenue (04303-0595).
3. The use shall be developed as per the attached plans and elevations, with the addition of conditions #4 through #9.
4. Any and all variances required from the Springfield Board of Appeals shall be obtained prior to issuing a sign permit.
5. This sign not flash, rotate, make noise; sparkle, twinkle or purposely reflect sunlight; move, or give the illusion that the sign is moving.
6. The images and characters on this sign shall not move or refresh at a rate faster than once every ten (10) seconds.
7. This sign shall be used to display information about on premise uses or activities only and shall not contain information about off premise uses, activities or businesses.
8. The sign shall be turned off when the business is not in operation.
9. There shall be no additional changing image signs located on the property.
10. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$200 per day for each day a violation exists.

Stephen J. Loneragan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

September 16, 2015

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: 683 East Columbus Avenue – (04303-0595)

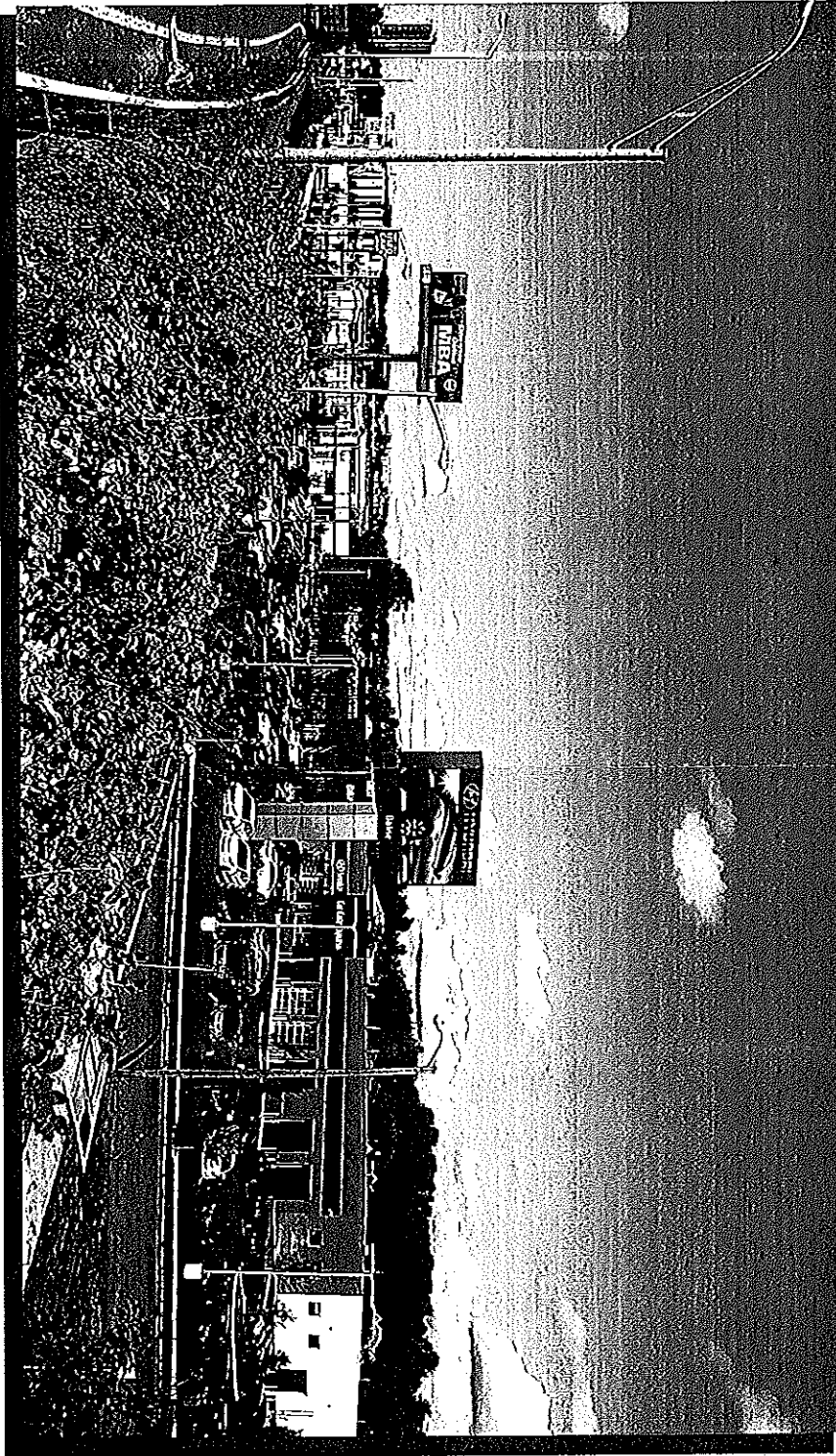
Petitioner: Balise Automotive Realty LP

Property Owner: Balise Automotive Realty LP (James E. Balise)

Stephen J. Loneragan: Treasurer/Collector

Attachment: E_Columbus_Ave_603_2015 (3229 : 603 East Columbus Avenue)



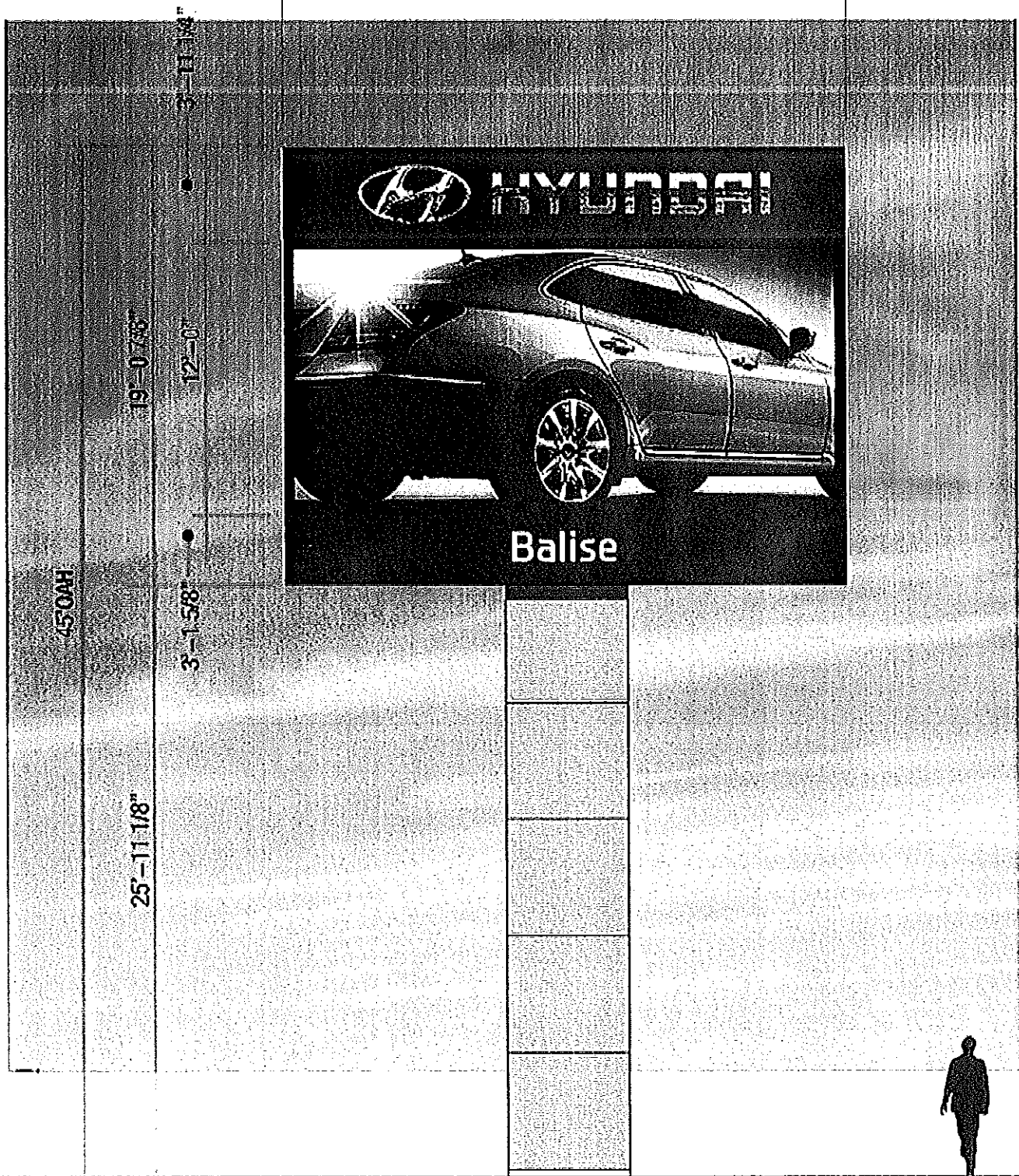


View From I-91 N

MA053 Balise Hyundai
9/14/15

GDSI-451-45-EMB-SP
Custom EMB Sign @ 45' H

25'-0"

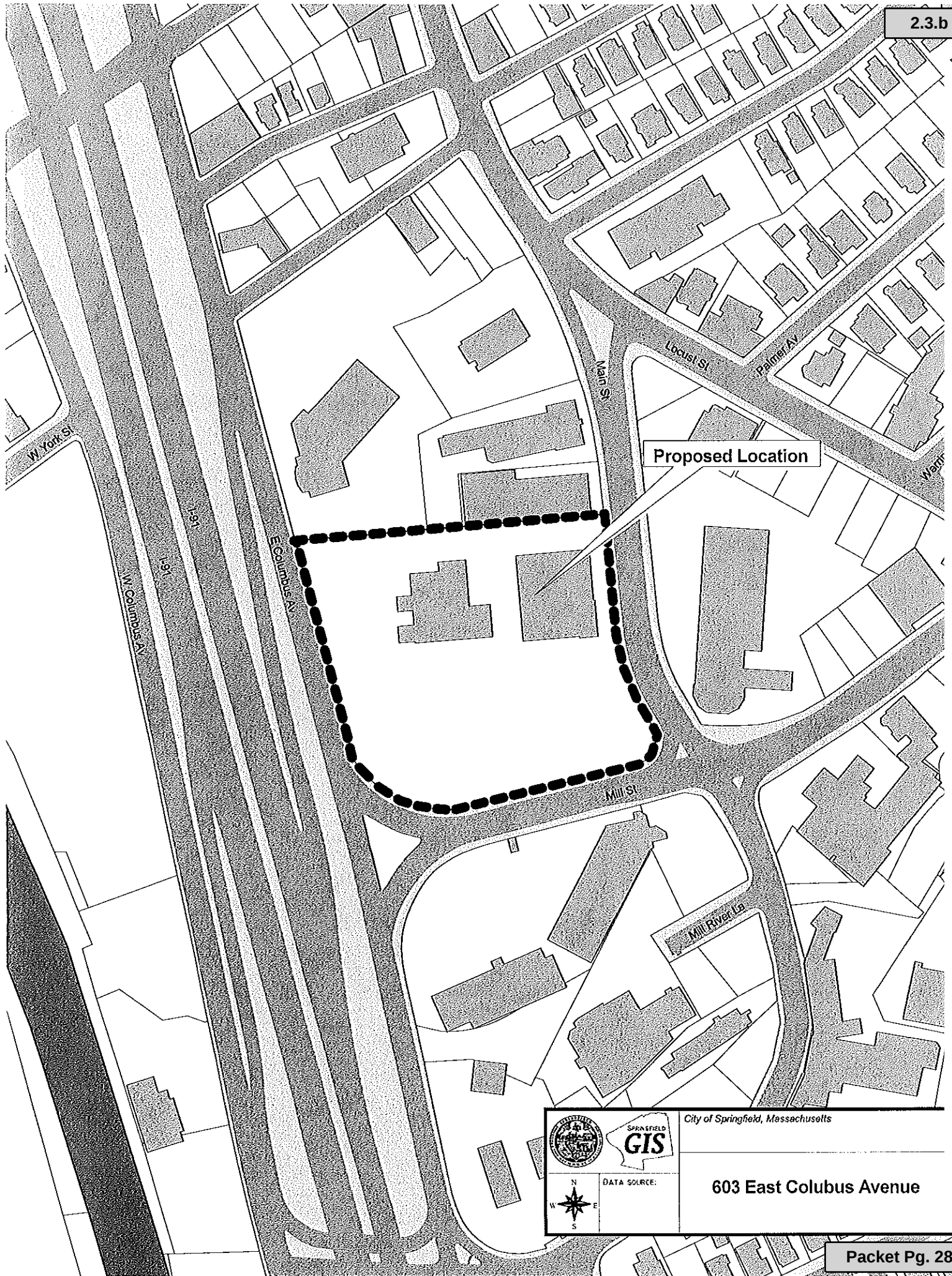


Attachment: E_Columbus_Ave_603_2015 (3229 : 603 East Columbus Avenue)

MA053 Balise Hyundai
9/12/15

GDSI-451-45-EMB-SP
Custom EMB Sign @ 45' H

AGI YOUR IMAGE.
OUR PRIORITY.
ARCHITECTURAL GRAPHICS INC



Attachment: E_Columbus_Ave_603_2015 (3229 : 603 East Columbus Avenue)



SPRINGFIELD
GIS



DATA SOURCE:

City of Springfield, Massachusetts

603 East Columbus Avenue

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

**282 CENTRAL STREET (02560-0053) & SS FLORENCE STREET (05200-0120) &
NS CENTRAL STREET (02560-0055/0056)
RESIDENCE B TO COMMERCIAL A**

GENERAL INFORMATION

Applicant:	Ayala Enterprise, LLC
Request:	Residence B to Commercial A
Location:	282 Central Street, SS Florence Street and NS Central Street
Parcel Size:	24,228 s.f.
Purpose:	Construction of a maintenance garage
Surrounding Land Use and Zoning:	The property is located in the Six Corners neighborhood. This site is located in an area with a mix of commercial and residential uses. The surrounding land uses include: To the north is vacant land zoned Residence B. To the south are a retail operation and vacant land zoned Residence B. To the east are two-family homes zoned Residence B. To the west are a retail operation and apartment building zoned Commercial A.
Comprehensive/ Neighborhood Plan:	The Six Corners Neighborhood Plan shows no changes to this area.
Site Visit:	9-28-15
Neighborhood Council Notification:	Maple High/Six Corners Neighborhood Council: 9-22-15
Planning Board Hearing Date:	10-7-15

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 properties known as 282 Central Street, SS Florence Street and NS Central Street from Residence B to Commercial A. These sites are the location of a twenty (20) unit apartment building and accessory parking. The zone change is being requested in order to construct a maintenance garage on the property.

After reviewing the plans, the staff does not object to the proposed zone change. Commercial A allows only limited commercial uses and is a zone that can be found within the neighborhood, including properties located directly across the street from this property. It should also be noted that this building had been severely damaged by the 2011 tornado and has undergone significant renovations. With regards to the proposed plans, the staff is concerned that the proposed building lacks windows. Understanding the petitioner may have security concerns, the staff does believe that the due to the fact that this building is going to be located within a residential neighborhood, the significant massing of the building should include windows on each side, especially along the Central Street frontage. The staff also believes that adding windows will help this proposed structure blend into the new construction that has been recently completed along Central Street.

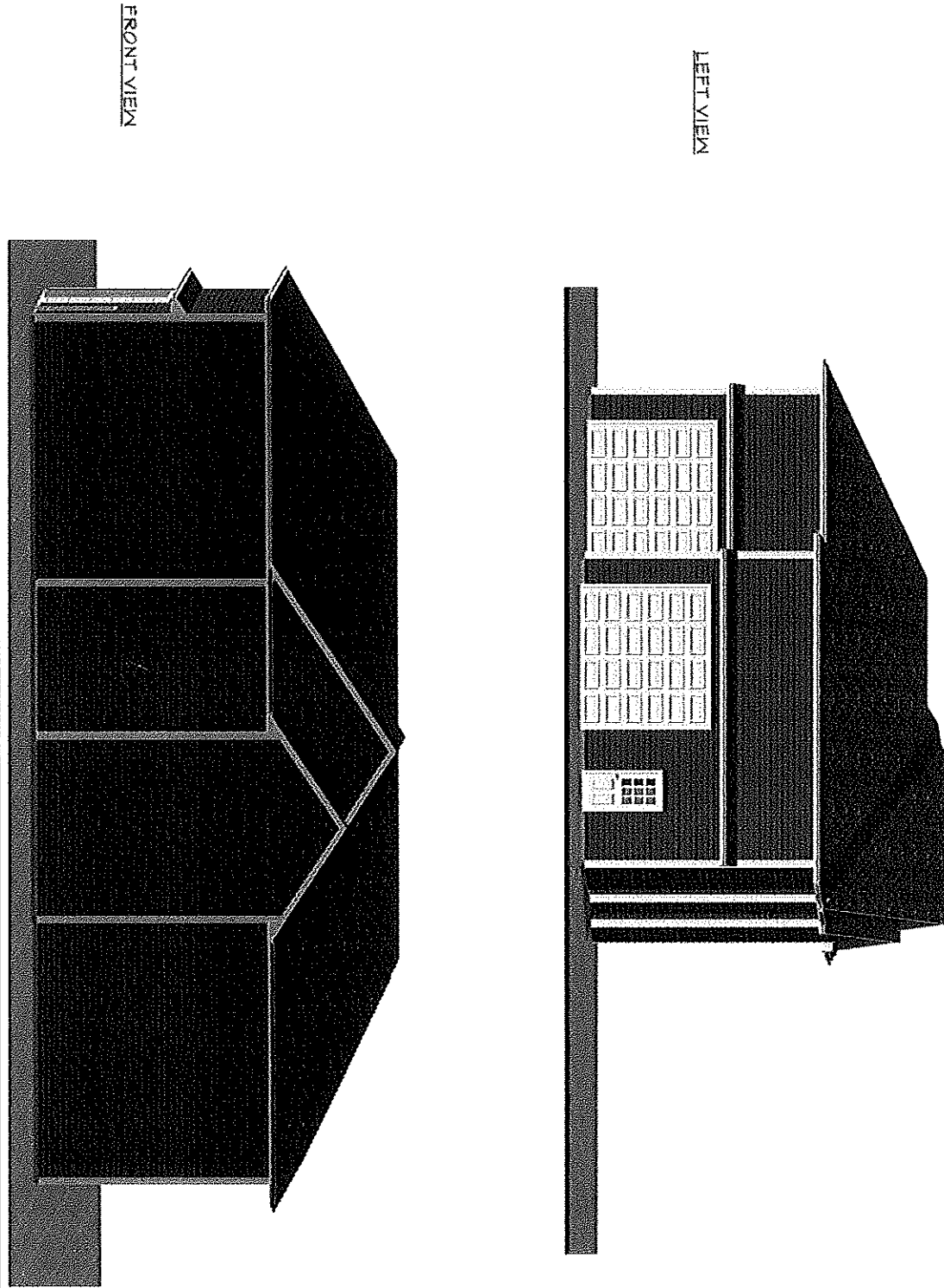
Further, it should to be noted that the petitioner has had a successful track record in the City including a significant revitalization project to the large apartment building across the street from this site. This petitioner is also in the process of constructing several new single-family homes along the Central Street corridor, which have dramatically changed the overall feel of this street. The rehabilitation of these apartment buildings as well as the construction of these new homes all compliment the City's efforts to revitalize this neighborhood which had been devastated by the June 2011 tornado.

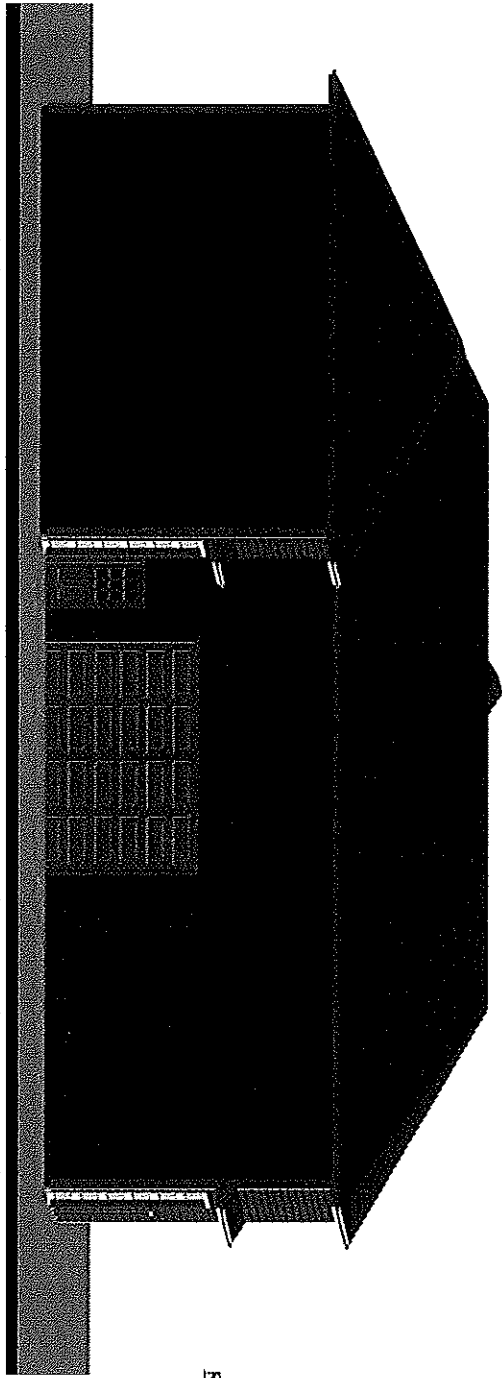
Additionally, as can be seen by the attached photos, a landscape buffer already has been installed along Central Street. The plans submitted show that this buffer is to remain. As per the Zoning Ordinance, a five (5) foot landscaped buffer is also going to be required along the property lines which abut the Residence B zones.

RECOMMENDATION

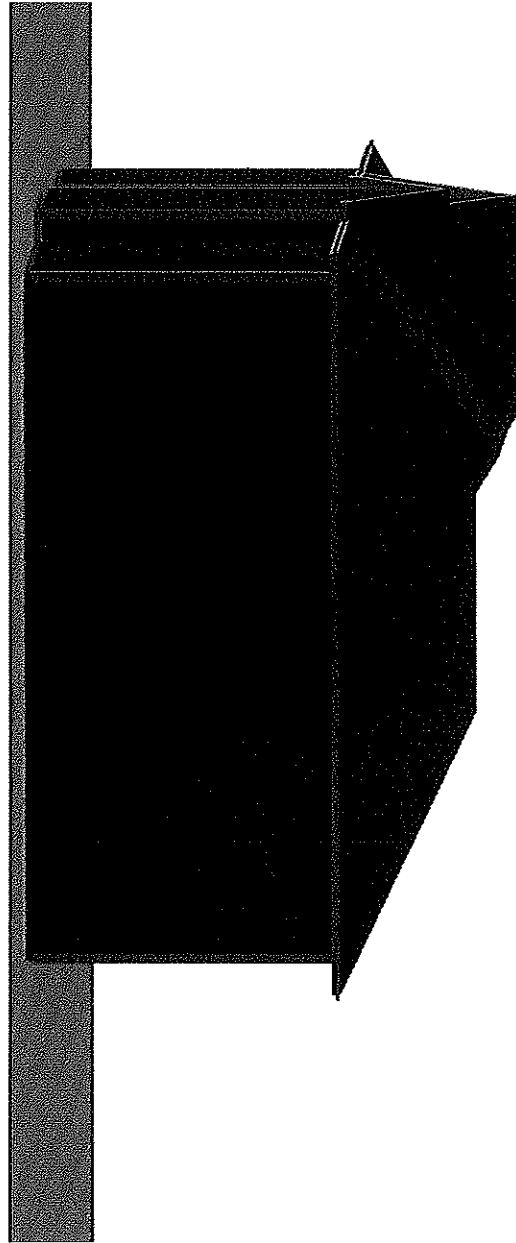
Approve.





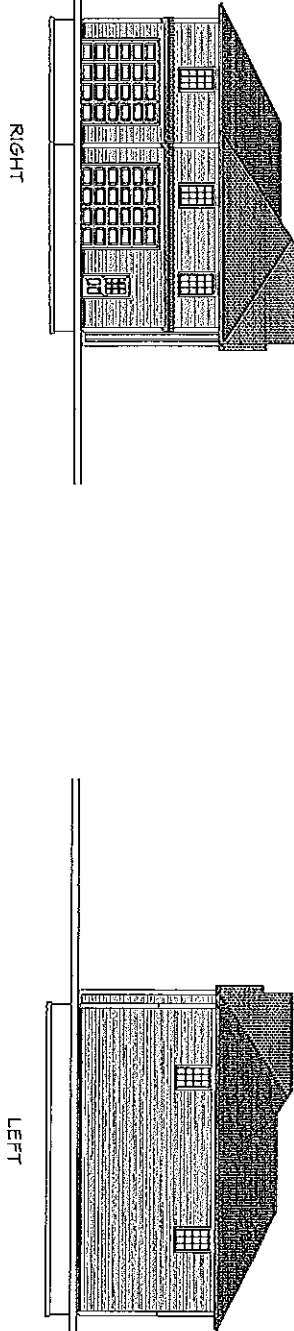


REAR VIEW



RIGHT VIEW

Revised Plans



RIGHT

LEFT

A - 0

SHEET:

SCALE:

DATE: 10/1/2015

DRAWINGS PROVIDED BY:

PROJECT DESCRIPTION:

SHEET TITLE:

NO.	DESCRIPTION	BY	DATE



Proposed Location

Florence St

Central St

Pine St



SPRINGFIELD
GIS

City of Springfield, Massachusetts



DATA SOURCE:

282 Central Street



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

AN ORDINANCE

AMENDING SECTION 47 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 B to Commercial A the zoning on Plot #3178, Section 47 of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "Section 47 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 October 7, 2015 regarding the above Ordinance amendment.

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

Ben Swan Jr., Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

AN ORDINANCE

AMENDING SECTION 47 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 B to Commercial A** the zoning on **Plot #3178, Section 47** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "Section 47 Building Zone Map of the City of Springfield."

REPORT TO CITY COUNCIL
ZONE CHANGE HEARING

PETITION: #3178
SECTION: 47

DATE: October 8, 2015

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: Ayala Enterprise, LLC

ADDRESS: 282 Central Street, SS Florence Street and NS Central Street

CHANGE REQUESTED: Proposed zone change from Residence B to Commercial A.

PETITIONER'S PURPOSE STATEMENT: Construction of a maintenance garage.

DATE OF PUBLIC HEARING: October 7, 2015

DATE OF FINAL DECISION: October 7, 2015

BOARD MEMBERS PRESENT and COUNT: eight (8): Mr. Daniele, Ms. DeFillipo, Mr. Cignoli
Mr. Swan, Mr. Florian, Ms. McQuade, Ms. Morin and Ms. Choi

FINAL MOTION: Approve

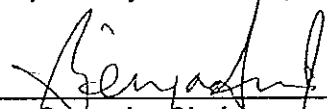
IN FAVOR: eight (8): Mr. Daniele, Ms. DeFillipo, Mr. Cignoli, Mr. Swan, Mr. Florian, Ms. McQuade
Ms. Morin and Ms. Choi

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben Swan Jr., Chairperson

Attachment: 3178 282 Central St 2015 CC (Z-2015-9 : Report from Planning Board - 282 Central Street)

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

**282 CENTRAL STREET (02560-0053) & SS FLORENCE STREET (05200-0120) &
NS CENTRAL STREET (02560-0055/0056)
RESIDENCE B TO COMMERCIAL A**

GENERAL INFORMATION

Applicant:	Ayala Enterprise, LLC
Request:	Residence B to Commercial A
Location:	282 Central Street, SS Florence Street and NS Central Street
Parcel Size:	24,228 s.f.
Purpose:	Construction of a maintenance garage
Surrounding Land Use and Zoning:	The property is located in the Six Corners neighborhood. This site is located in an area with a mix of commercial and residential uses. The surrounding land uses include: To the north is vacant land zoned Residence B. To the south are a retail operation and vacant land zoned Residence B. To the east are two-family homes zoned Residence B. To the west are a retail operation and apartment building zoned Commercial A.
Comprehensive/ Neighborhood Plan:	The Six Corners Neighborhood Plan shows no changes to this area.
Site Visit:	9-28-15
Neighborhood Council Notification:	Maple High/Six Corners Neighborhood Council: 9-22-15
Planning Board Hearing Date:	10-7-15

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 properties known as 282 Central Street, SS Florence Street and NS Central Street from Residence B to Commercial A. These sites are the location of a twenty (20) unit apartment building and accessory parking. The zone change is being requested in order to construct a maintenance garage on the property.

After reviewing the plans, the staff does not object to the proposed zone change. Commercial A allows only limited commercial uses and is a zone that can be found within the neighborhood, including properties located directly across the street from this property. It should also be noted that this building had been severely damaged by the 2011 tornado and has undergone significant renovations. With regards to the proposed plans, the staff is concerned that the proposed building lacks windows. Understanding the petitioner may have security concerns, the staff does believe that the due to the fact that this building is going to be located within a residential neighborhood, the significant massing of the building should include windows on each side, especially along the Central Street frontage. The staff also believes that adding windows will help this proposed structure blend into the new construction that has been recently completed along Central Street.

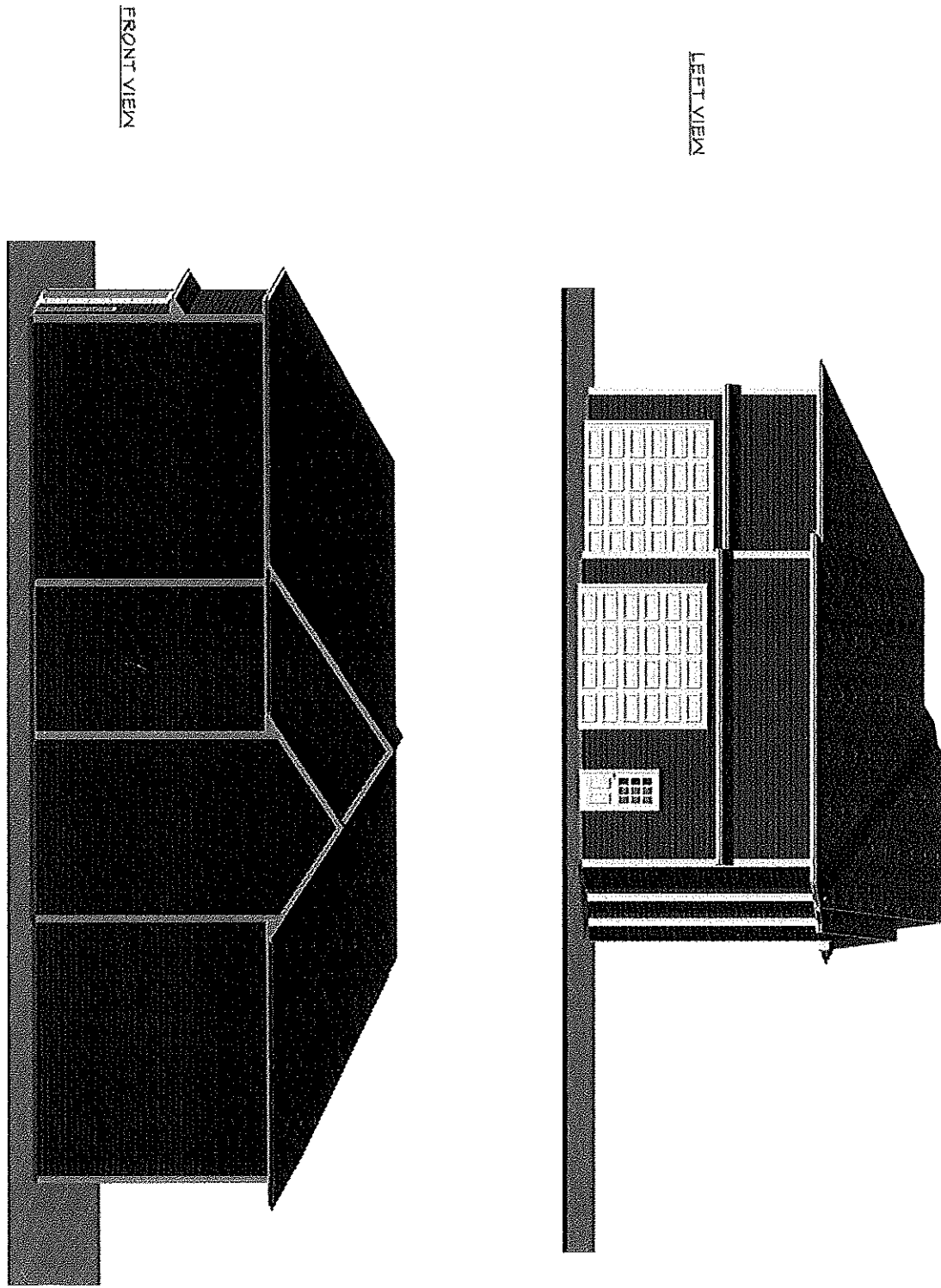
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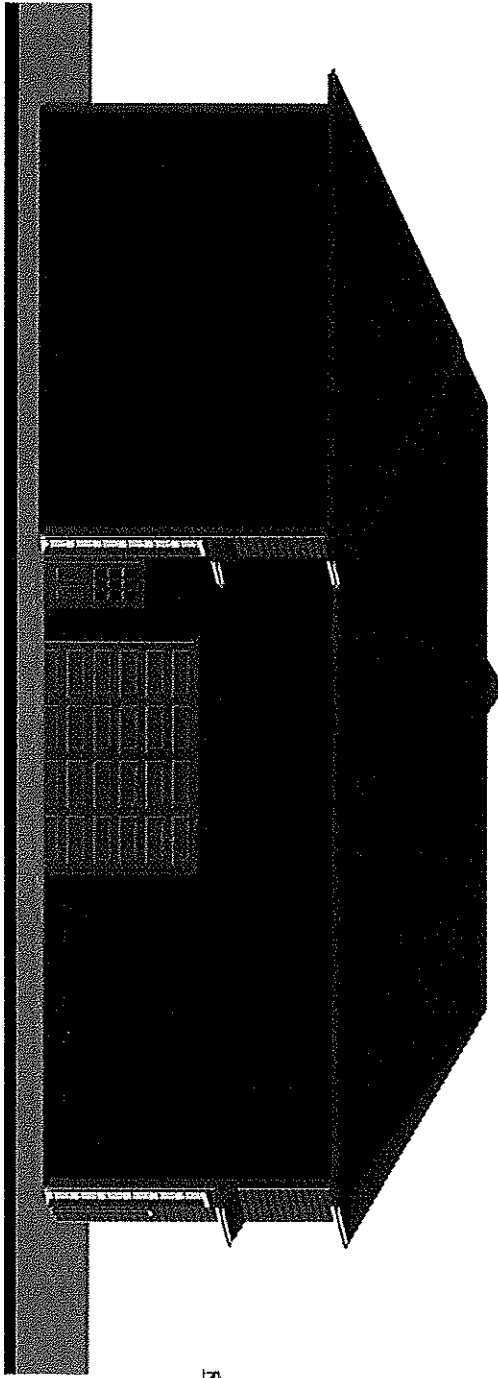
Additionally, as can be seen by the attached photos, a landscape buffer already has been installed along Central Street. The plans submitted show that this buffer is to remain. As per the Zoning Ordinance, a five (5) foot landscaped buffer is also going to be required along the property lines which abut the Residence B zones.

RECOMMENDATION

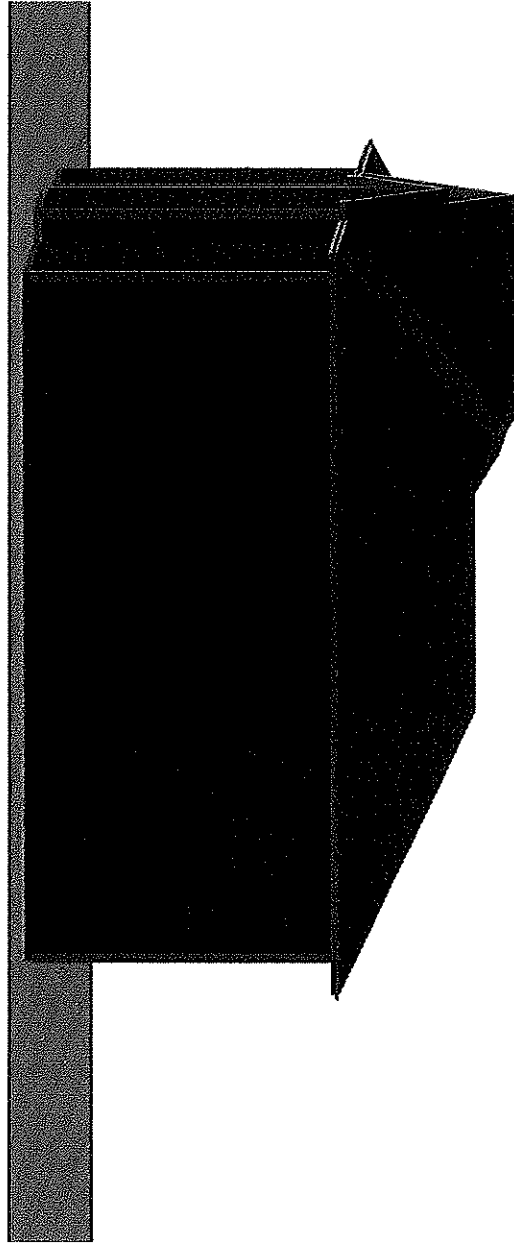
Approve.





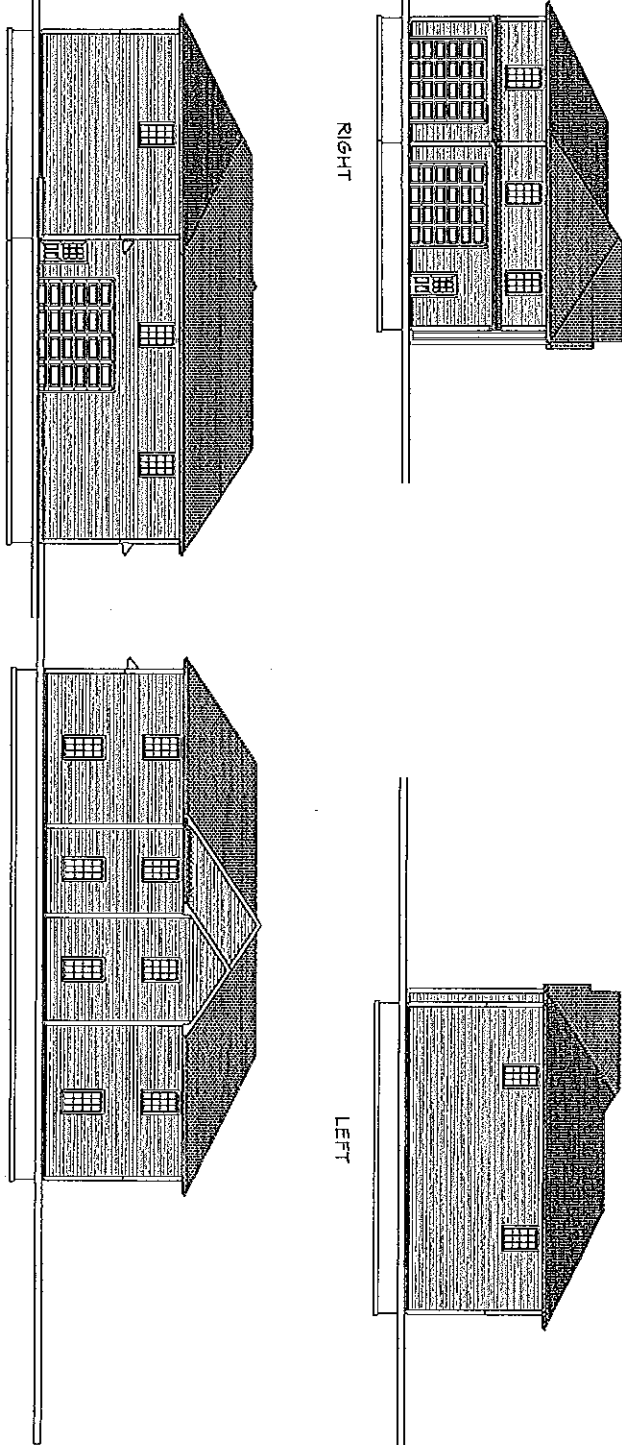


REAR VIEW



RIGHT VIEW

Revised Plans



A-0

SHEET:

SCALE:

DATE:

10/1/2015

DRAWINGS PROVIDED BY:

PROJECT DESCRIPTION:

SHEET TITLE:

NO.	DESCRIPTION	BY	DATE



Proposed Location

Florence St

Central St

Pine St

Attachment: 3178_282_Central_St_2015 (Z-2015-9 : Report from Planning Board - 282 Central Street)



City of Springfield, Massachusetts



DATA SOURCE:

282 Central Street



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

AN ORDINANCE

AMENDING SECTION 47 OF THE BUILDING ZONE MAP

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Approved as to Form:

Associate City Solicitor

In accordance with Mass. Gen. Laws c. 40A, section 5, the Planning Board held a hearing on October 7, 2015 regarding the above Ordinance amendment.

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

Ben Swan Jr., Chairperson

Attachment: 3178_282_Central_St_2015 (Z-2015-9 : Report from Planning Board - 282 Central Street)



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND FIFTEEN

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BOARD MEMBERS PRESENT and COUNT: eight (8): Mr. Daniele, Ms. DeFillipo, Mr. Cignoli
Mr. Swan, Mr. Florian, Ms. McQuade, Ms. Morin and Ms. Choi

FINAL MOTION: Approve

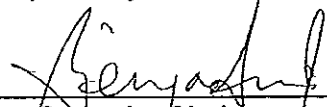
IN FAVOR: eight (8): Mr. Daniele, Ms. DeFillipo, Mr. Cignoli, Mr. Swan, Mr. Florian, Ms. McQuade
Ms. Morin and Ms. Choi

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben Swan Jr., Chairperson

Attachment: 3178_282_Central_St_2015 (Z-2015-9 : Report from Planning Board - 282 Central Street)