



CITY OF SPRINGFIELD

City Clerk's Office 3/23/2016 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 **Monday evening March 28, 2016** at 07:00 PM according to Section 12, Rules and Orders of the City Council.

City Clerk

Hearings

7:00 PM Meeting called to order on March 28, 2016 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Moment of Silence - Pledge of Allegiance

Special Permits

- (1.) For a Special Permit for an Accessory Wall Sign, Located Above the First Floor at the Property Known as 3451 Main Street (A.K.A. 3455) (08130-0363), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Request: See Above
Owner: 3455 Main Street Associates
By: William Keavany
Petitioner: New England Dermatology Laser
Center
By: Shannon Page

ATTACHMENTS:

- 3451_Main_St_Tax_Formal (PDF)

- (2.) For a Special Permit for Motor Vehicle Sales, as an Accessory Use, at the Property Known as 638 Worthington Street (12535-0061), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 19.5.

Request: See Above
Owner: Borges Candido Trustee
By: Candido Borges
Petitioner: Borges Candido Trustee
By: Candido Borges

ATTACHMENTS:

- Worthington_St_638_Tax_Formal (PDF)

Zone Changes

- (3.) To Change a Portion of the Zoning of the Property Known as 1130 Bay Street (01085-0128) from Business B to Industrial A. 1130 Bay Street Recommend

PETITIONER: MassConn Excavating & Landscaping,

LLC

ADDRESS:

1130 Bay Street

CHANGE REQUESTED:

Bus B to Ind A

ATTACHMENTS:

- 3181_1130_Bay_St_2016 (PDF)
- 3181_1130_Bay_St_2016_CC (PDF)

Petitions**(4.) Fuel Storage Petition 1271 Page Blvd****ATTACHMENTS:**

- 127 PAGE BLVD FUEL STORAGE (DOCX)

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 3432)**

Meeting: 03/28/16 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3432

**For a Special Permit for an Accessory Wall Sign, Located
Above the First Floor at the Property Known as 3451 Main
Street (A.K.A. 3455) (08130-0363), as Authorized by M.G.L.
and the Springfield Zoning Ordinance Article 9, Section
9.8.17.**

Request:	See Above
Owner:	3455 Main Street Associates
By:	William Keavany
Petitioner:	New England Dermatology Laser Center
By:	Shannon Page

To The City Council of the City of Springfield:

The undersigned respectfully petition your honorable body

for a special permit for an accessory wall sign, located above the first floor at the property known as 3451 Main Street (a.k.a. 3455) (08130-0363), as authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Mailing Address

3544 Main Street
Springfield, MA 01107

Owner:

New England Dermatology Laser Center

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

BY: 

Shannon Page

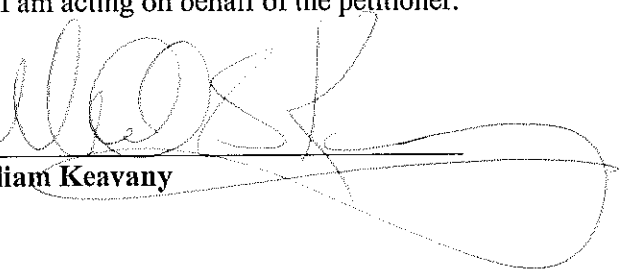
Mailing Address

123 Park Avenue
West Springfield, MA 01089

Owner:

3455 Main Street Associates

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

BY: 

William Keavany

Attachment: 3451_Main_St_Tax_Format (3432 : 3451 Main Street)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

2/25/2016

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: 3455 Main Street (3451 Main St - 081300363)

Petitioner: New England Dermatology PC

Landlord: 3455 Main Street Associates Limited

Stephen J. Lonergan: Treasurer/Collector

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 3395)**

Meeting: 03/28/16 07:00 PM
Department: Economic Development
Category: Special Permit
Prepared By: Phil Dromey
Initiator: Phil Dromey
Sponsors:
DOC ID: 3395

**For a Special Permit for Motor Vehicle Sales, as an
Accessory Use, at the Property Known as 638 Worthington
Street (12535-0061), as Allowed by M.G.L. and the Springfield
Zoning Ordinance Article 4, Table 4-4, Section 19.5.**

Request:	See Above
Owner:	Borges Candido Trustee
By:	Candido Borges
Petitioner:	Borges Candido Trustee
By:	Candido Borges

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

for a special permit for motor vehicle sales, as an accessory use, at the property known as 638 Worthington Street (12535-0061), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 19.5.

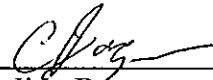
Mailing Address:

37 Balis Street
Springfield, MA 01109

Owner & Petitioner:

Borges Candido Trustee

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

By: _____
Candido Borges



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

2/10/2016

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: 638 Worthington Street (125350061)

Petitioner: Candido Borges

Landlord: Candido Borges Trustee

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

Stephen J. Lonergan: Treasurer/Collector



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND SIXTEEN

AN ORDINANCE

AMENDING SECTION 32 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 **Business B to Industrial A** the zoning on **Plot #3181, Section 32** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked "**Section 32 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 February 3, 2016 regarding the above Ordinance amendment.

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

Ben Swan Jr., Chairperson

Attachment: 3181_1130_Bay_St_2016 (3394 : 1130 Bay Street)



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND SIXTEEN

AN ORDINANCE

AMENDING SECTION 32 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 **Business B to Industrial A** the zoning on **Plot #3181, Section 32** of the Building Zone Map as indicated in red ink on the plan thereof hereto attached and marked “**Section 32 Building Zone Map of the City of Springfield.**”

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3181
SECTION: 32

DATE: February 4, 2016

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: MassConn Excavating & Landscaping, LLC

ADDRESS: 1130 Bay Street (01085-0128)

CHANGE REQUESTED: Proposed zone change from Business B to Industrial A.

PETITIONER'S PURPOSE STATEMENT: Outdoor storage of construction materials.

DATE OF PUBLIC HEARING: February 3, 2016

DATE OF FINAL DECISION: February 3, 2016

BOARD MEMBERS PRESENT and COUNT: Nine (9): Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Florian, Ms. McQuade, Mr. Cignoli, Ms. Choi and Mr. Cunningham

FINAL MOTION: Approve

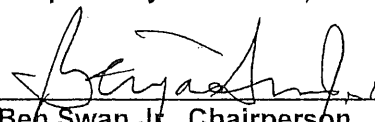
IN FAVOR: Nine (9): Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Florian, Ms. McQuade, Mr. Cignoli, Ms. Choi and Mr. Cunningham

OPPOSED: Zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben Swan Jr., Chairperson

Attachment: 3181_1130_Bay_St_2016 (3394 : 1130 Bay Street)

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

**1130 BAY STREET (01085-0128)
BUSINESS B TO INDUSTRIAL A**

GENERAL INFORMATION

Applicant:	MassConn Excavating & Landscaping, LLC
Request:	Business B to Industrial A
Location:	1130 Bay Street
Parcel Size:	52,184 s.f.
Purpose:	Construction related uses.
Surrounding Land Use and Zoning:	The property is located in the Bay neighborhood. The site is currently split zoned between Industrial A and Business B and is located in an area that has a mix of commercial and industrial uses. To the north are rail road tracks and Performance Food Group zoned Industrial Park. To the south is an auto repair facility zoned Business B. To the east is landscaping company zoned Business A. To the west is an office/gas station zoned Business B.
Comprehensive/ Neighborhood Plan:	The Bay Neighborhood Plan shows no changes to this area.
Site Visit:	1-27-16
Neighborhood Council Notification:	Bay Area Neighborhood Council: 1-19-16
Planning Board Hearing Date:	2-3-16

SPECIAL INFORMATION

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

ANALYSIS

The petitioner has requested to change a portion of the property known as 1130 Bay Street from Business B to Industrial A. This site is currently split zoned with a portion of the property already zoned Industrial A. The property is located on the corner of Bay Street and Roosevelt Avenue.

As noted above, the site is currently split zoned between Industrial A and Business B. The petitioner has requested to rezone the portion of the property zoned Business B to Industrial A to allow them to continue operating the existing construction and landscaping business. As can be seen from the attached pictures, the site is currently being used for the storage of materials such as gravel, stone, non-organic fill and topsoil. The

petitioner has also indicated that they will also be using this location for the storage and maintenance of the construction equipment. The proposed zone change is needed as outside storage of materials is not allowed under Business B. It is important to note that the petitioner has indicated that no processing of materials will be done at this location. If processing of materials is done at this location, a special permit will be required by the City Council.

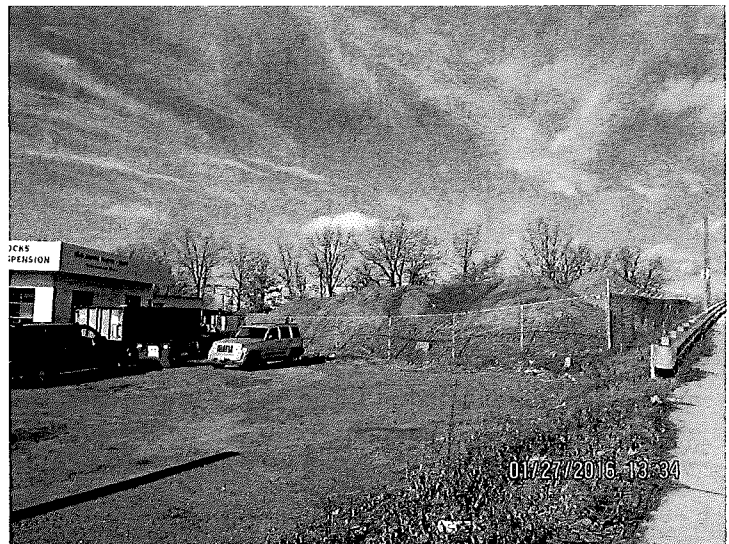
After visiting the site and reviewing the adjacent land uses, the staff does not object to the proposed request. As noted above, a portion of this site is already zoned Industrial A and the property is located in an area that has a mix of commercial and industrial uses. However, the staff does have the following comments with regards to the overall site.

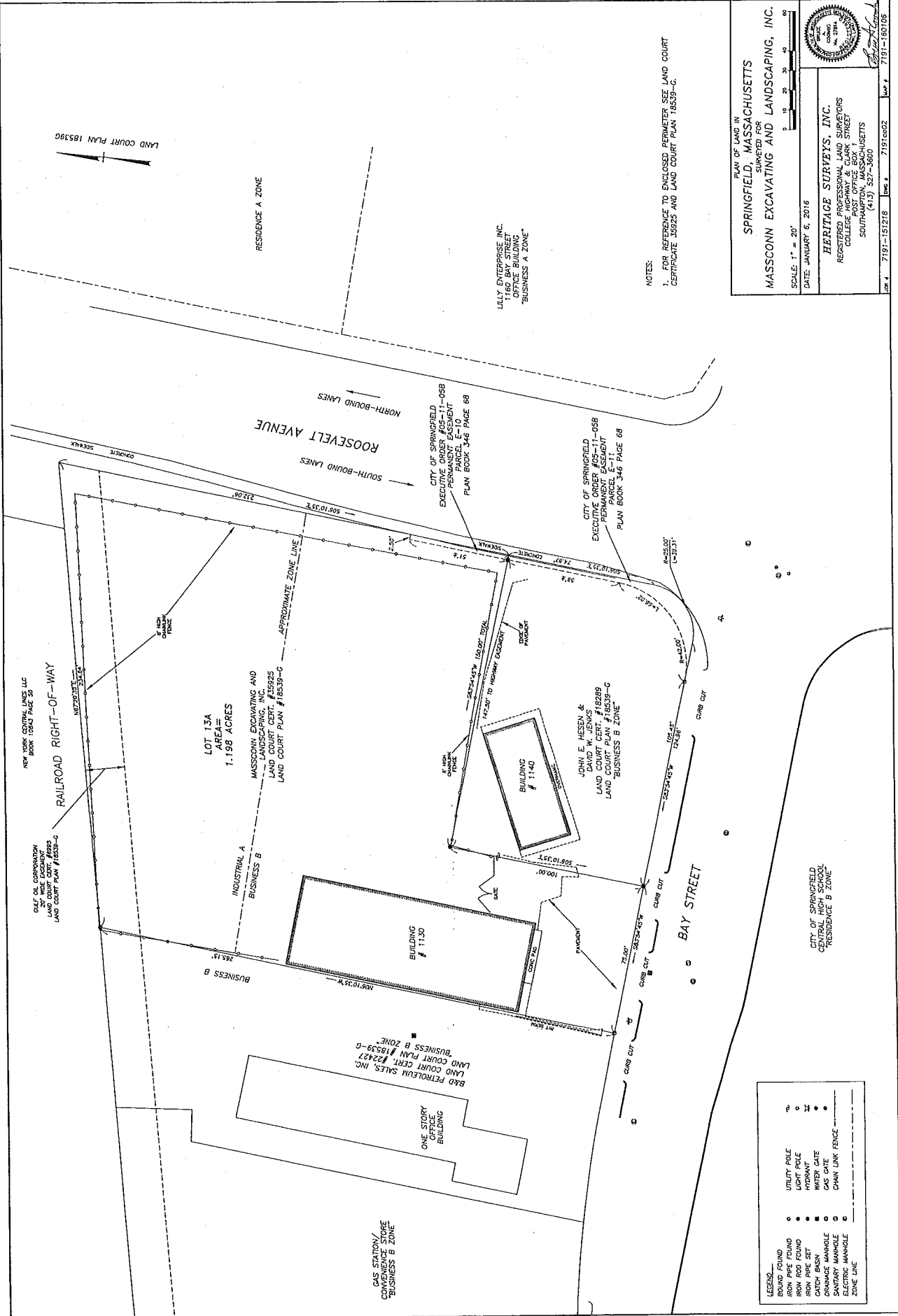
First, it was noted that this site is separated from the adjacent property by only a chain link fence. As can be seen by the attached photo, the piles of topsoil are currently being stored right up to this fencing. The staff has strong concerns that erosion of these large piles of topsoil may adversely impact the abutting properties as well as possibly impacting the City's storm water collection system. While conditions cannot be placed on a zone change, the staff would strongly suggest that a solid fence and erosion controls be installed. In addition, any and all regulations regarding the outdoor storage of construction related materials must be followed.

Secondly, due to the prominent location of this site, the staff would recommend to the petitioner that the height of these large piles of topsoil be kept at a height which would limit the potential negative visual impacts on the abutting properties.

RECOMMENDATION

Approve.





Proposed Location

Attachment: 3181_1130_Bay_St_2016_CC (3394 : 1130 Bay Street)



SPRINGFIELD
GIS

City of Springfield, Massachusetts

DATA SOURCE:

1130 Bay Street



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FINAL MOTION: Approve

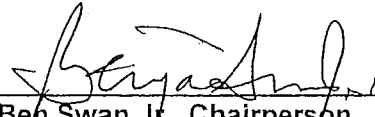
IN FAVOR: Nine (9): Ms. Morin, Mr. Daniele, Ms. DeFillipo, Mr. Swan, Mr. Florian, Ms. McQuade, Mr. Cignoli, Ms. Choi and Mr. Cunningham

OPPOSED: Zero (0)

ABSTAINED: N/A

RECOMMENDATION: APPROVE

Respectfully submitted,


Ben Swan Jr., Chairperson

Attachment: 3181_1130_Bay_St_2016_CC (3394 : 1130 Bay Street)

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**PETITION (ID # 3444)**

Meeting: 03/28/16 07:00 PM

Department: City Clerk

Category: License

Prepared By: Camile Nelson Campbell

Initiator: Camile Nelson Campbell

Sponsors:

DOC ID: 3444

Fuel Storage Petition 1271 Page Blvd

CITY OF SPRINGFIELD

City Clerk's Office, Springfield, Massachusetts

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD:

Date 1-22-16

The undersigned respectfully petition your honorable body for a license to keep, store, use and sell petroleum and its products in quantities not exceeding 30,000 Gallons

in UNDERGROUND (NEW)
(Underground or Aboveground) New or Existing

Location of Land: 1271 PAGE BOULEVARD
(Number & Street)

Nearest Cross Street: FIRST STREET

Owner of Land: MICHAEL BERSDOLL, TRUSTEE Address: 10 BEECHWOOD DR.
FIRST PAGE REALTY TRUST WILBRAHAM, MA

Number of Buildings or Other Structures to Which this Application Applies:
ONE SINGLE STOREY BUILDING

Occupancy or Use of Such Buildings:
GAS STATION

Total Current Capacity of Tanks: ABOVEGROUND: N/A UNDERGROUND: UP TO 30,000 gal.

Kind of Fluid to be Stored in Tanks: GASOLINE AND DIESEL

Signature of Applicant

FIRST PAGE REALTY TRUST

By MICHAEL BERSDOLL, TRUSTEE
Mailing Address
10 BEECHWOOD DR.
WILBRAHAM, MA
01095

Approved--Disapproved

Joseph A. Bennett
Chief of Fire Department

Petition Fee: \$ 250.00

Lic. Fee: \$ 66.00

Adv Fee: \$ 60.00

Total: \$ 376.00

CHK # 3441

M/A 221-0654
55 Wilkes St
Spfld, MA
01119

Springfield Fire Department - Headquarters
605 Worthington Street
Springfield, MA 01105-1112
413-750-2444 (office) / 413-787-6411 (Main)
413-787-6432 (FAX)

Joseph A. Conant
Commissioner

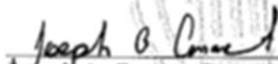
February 4, 2016

To: CITY COUNCIL

License to keep, store, sell and use petroleum and its products in quantities not exceeding 30,000 gallons in underground tank(s)(new) at 1271 Page Blvd., per attached list:

Application is outlined above:

Investigated by Joseph A. Conant, Commissioner
Steven Desilets, Building Commissioner
Phil Dromey, Planning Department
Chris Cignoli, Director of Public Works


Joseph A. Conant, Commissioner


Steven Desilets, Building Commissioner


Phil Dromey, Planning Department


Chris Cignoli, Director of Public Works

CITY OF SPRINGFIELD

City Clerk's Office, Springfield, Massachusetts

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD:

Date 1-22-16

The undersigned respectfully petition your honorable body for a license to keep, store, use and sell petroleum and its products in quantities not exceeding 30,000 Gallons

in UNDERGROUND (NEW)
(Underground or Aboveground) New or Existing

Location of Land: 1271 PAGE BOULEVARD
(Number & Street)

Nearest Cross Street: FIRST STREET

Owner of Land: MICHAEL BERGDOLL, TRUSTEE Address: 10 BEECHWOOD DR.
FIRST PAGE REALTY TRUST WILBRAHAM, MA

Number of Buildings or Other Structures to Which this Application Applies:
ONE SINGLE STOREY BUILDING

Occupancy or Use of Such Buildings:
GAS STATION

Total Current Capacity of Tanks: ABOVEGROUND: N/A UNDERGROUND: UP TO 30,000 gal.

Kind of Fluid to be Stored in Tanks: GASOLINE AND DIESEL

Signature of Applicant

FIRST PAGE REALTY TRUST
By [Signature]
Mailing Address MICHAEL BERGDOLL, TRUSTEE
10 BEECHWOOD DR.
WILBRAHAM, MA
01095

Approved--Disapproved

[Signature]
Chief of Fire Department

Petition Fee: \$ 250.00

Lic. Fee: \$ 66.00

Adv Fee: \$ 60.00

Total: \$ 376.00

CHK # 3441

M/A 221-0654
55 Wilkes St
Spfld, MA 01119

Attachment: 127 PAGE BLVD FUEL STORAGE (3444 : 1271 Page Blvd Fuel Storage Petition)

Springfield Fire Department - Headquarters
605 Worthington Street
Springfield, MA 01105-1112
413-750-2444 (office) / 413-787-6411 (Main)
413-787-6432 (FAX)

Joseph A. Conant
Commissioner

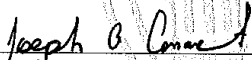
February 4, 2016

To: CITY COUNCIL

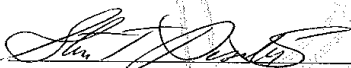
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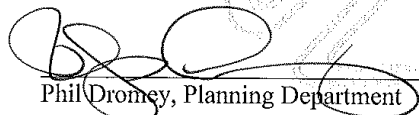
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Joseph A. Conant, Commissioner



Steven Desilets, Building Commissioner



Phil Dromey, Planning Department



Chris Cignoli, Director of Public Works

Attachment: 127 PAGE BLVD FUEL STORAGE (3444 : 1271 Page Blvd Fuel Storage Petition)