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

Linda Fitzpatrick
413-787-6559

Monday, March 28, 2016 | 7:00 PM | Springfield City Hall -- Council Chambers

I. Hearings

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

Attendee Name	Title	Status	Arrived
Justin Hurst	At Large Councilor	Late	7:02 PM
Kenneth E. Shea	Ward 6 Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Present	
Orlando Ramos	Vice President- Ward 8 Councilor	Late	7:05 PM
Bud L. Williams	At-Large Councilor	Present	
Marcus J Williams	Ward 5 Councilor	Present	
Adam Gomez	Ward 1 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Absent	
Melvin A. Edwards	Ward 3 Councilor	Absent	
Kateri B. Walsh	At-Large Councilor	Present	
Michael A. Fenton	President - Ward 2 Councilor	Present	
Anthony I. Wilson	Associate City Solictor	Absent	

Moment of Silence - Pledge of Allegiance

II. Special Permits

1. Petition (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

COMMENTS - Current Meeting:

Shannon Page, representing the petitioner, spoke in favor of the petition.

Councilor Gomez stated that the Neighborhood council for that area was in favor of the petition.

ATTACHMENTS:

- 3451_Main_St_Tax_Formal (PDF)

RESULT:	**ADOPTED [10 TO 0]**
MOVER:	Justin Hurst, At Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Hurst, Shea, Twiggs, Allen, Rooke, Williams, Williams, Gomez, Walsh, Fenton
ABSENT:	Orlando Ramos, Thomas M. Ashe, Melvin A. Edwards

2. Petition (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

COMMENTS - Current Meeting:

Inira Fernandez spoke in favor of the petition.

Councilor Ramos asked if the petitioner has been before the neighborhood council.

Councilor Ramos stated that he wanted the petitioner to go before the neighborhood council.

Councilor Gomez moved to lay the matter on the table. Councilor Ramos seconded the motion.

Councilor Shea asked Phil Dromey about concerns by the Office of Planning.

Mr. Dromey stated that there were concerns about the condition of the property.

ATTACHMENTS:

- Worthington_St_638_Tax_Formal(PDF)

RESULT:	**LAY ON TABLE**	**Next: 4/25/2016 7:00 PM**

III. Zone Changes

3. Zoning Ordinance 2016-2

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

PETITIONER: MassConn Excavating & Landscaping,

LLC

ADDRESS: 1130 Bay Street

CHANGE REQUESTED: Bus B to Ind A

HISTORY:

03/21/16 City Council RECEIVED 1ST STEP
Next: 03/28/16

COMMENTS - Current Meeting:

Frank Colacino spoke in favor of the zone change.

Councilor Rooke spoke in favor of the zone change.

Councilor Twiggs spoke in favor of the zone change.

Councilor Ramos asked questions about fencing and dust control.

Mr. Colacino stated that the petitioner built a fence and instituted dust control measures.

ATTACHMENTS:

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

RESULT:	**ADOPTED [11 TO 0]**
MOVER:	Justin Hurst, At Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Hurst, Shea, Twiggs, Allen, Rooke, Ramos, Williams, Williams, Gomez, Walsh, Fenton
ABSENT:	Thomas M. Ashe, Melvin A. Edwards

IV. Petitions

4. Petition (ID # 3444)

Fuel Storage Pettion 1271 Page Blvd

COMMENTS - Current Meeting:

Michael Bergdale spoke in favor of the application.

ATTACHMENTS:

- 127 PAGE BLVD FUEL STORAGE (DOCX)

RESULT:	**ADOPTED [11 TO 0]**
MOVER:	Justin Hurst, At Large Councilor
SECONDER:	Kenneth E. Shea, Ward 6 Councilor
AYES:	Hurst, Shea, Twiggs, Allen, Rooke, Ramos, Williams, Williams, Gomez, Walsh, Fenton
ABSENT:	Thomas M. Ashe, Melvin A. Edwards

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
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_Formal (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

Attachment: 3451_Main_St_Tax_Formal (3432 : 3451 Main Street)

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

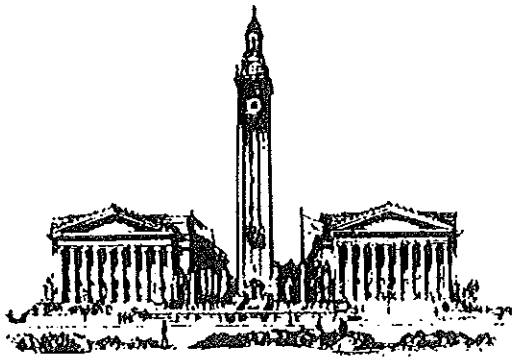
Owner & Petitioner:

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

Attachment: Worthington_St_638_Tax_Formal (3395 : 638 Worthington Street)



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

Stephen J. Lonergan: Treasurer/Collector

Attachment: Worthington_St_638_Tax_Formal (3395 : 638 Worthington Street)

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 (Z-2016-2 : 1130 Bay Street)

CITY OF SPRINGFIELD

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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."**

Attachment: 3181_1130_Bay_St_2016 (Z-2016-2 : 1130 Bay Street)

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 (Z-2016-2 : 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

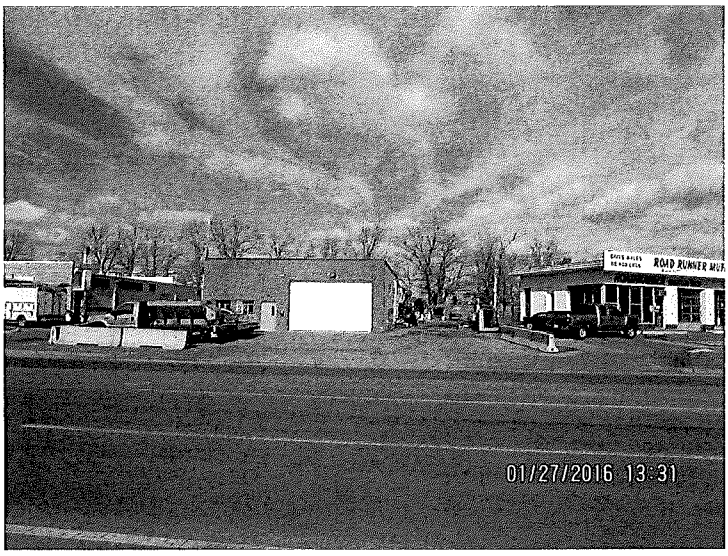
ANALYSIS

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 spilt 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 gravel, stone, non-organic fill and topsoil. The

Attachment: 3181_1130_Bay_St_2016_CC (Z-2016-2 : 1130 Bay Street)

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.

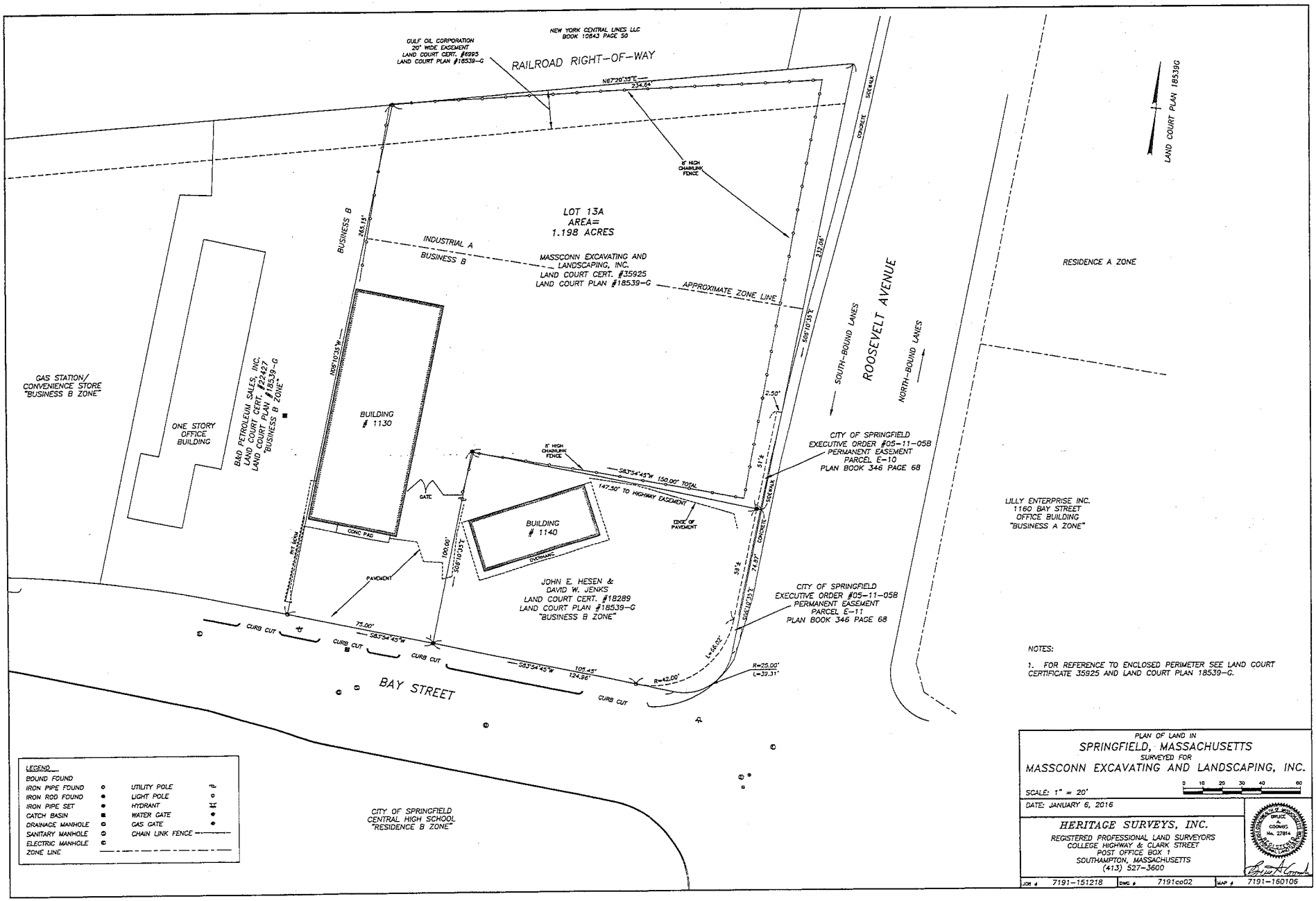
First, it was noted that this site is separated from the adjacent property by only a chain link fence. As can be seen by the attached photo, the piles of topsoil are currently being stored right up to this fencing. The staff has strong concerns that erosion of these large piles of topsoil may adversely 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.

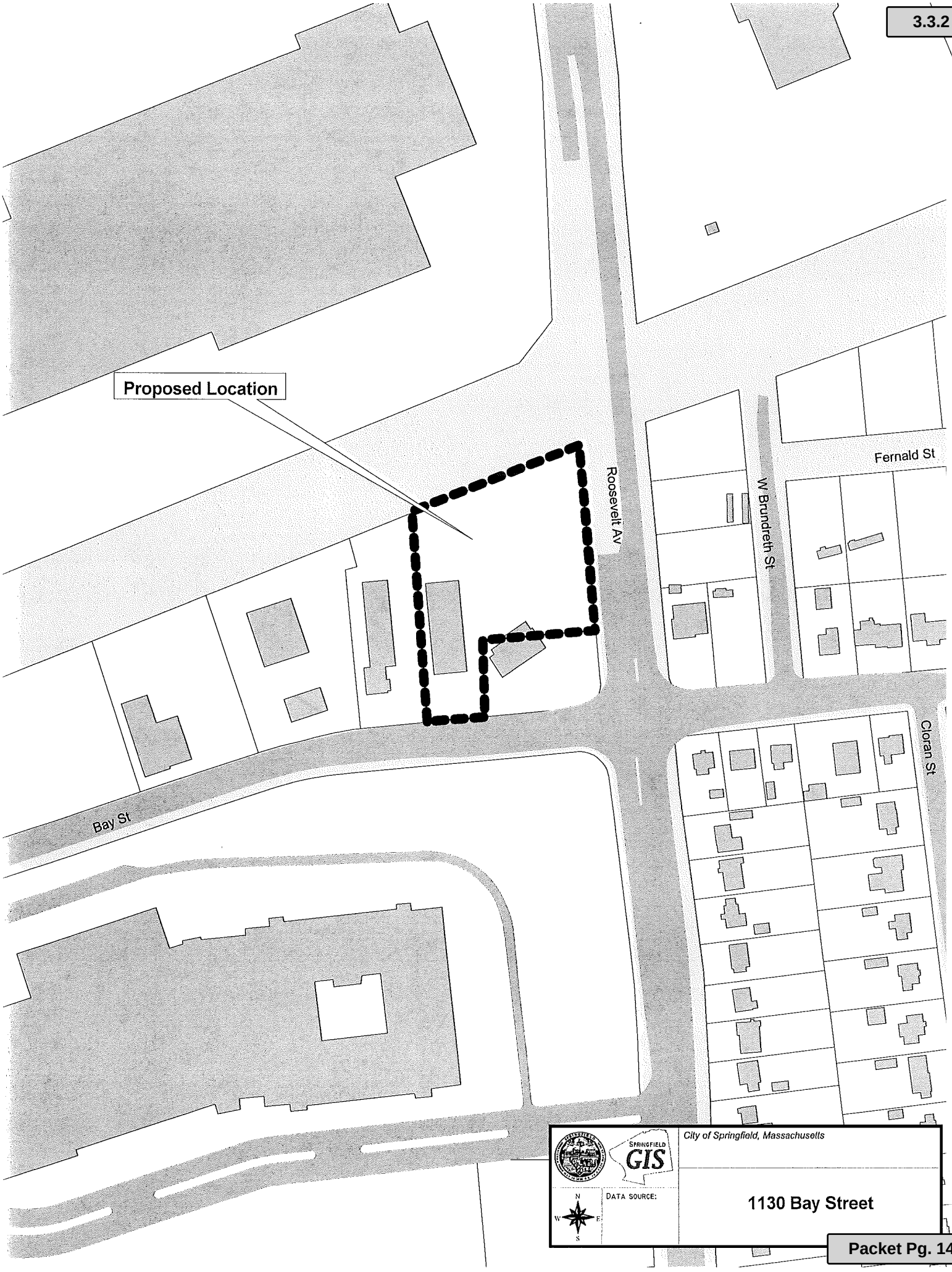
Secondly, due to the prominent location of this site, the staff would recommend to the petitioner that the height of these large piles of topsoil be kept at a height which would limit the potential negative visual impacts on the abutting properties.

RECOMMENDATION

Approve.

Attachment: 3181_1130_Bay_St_2016_CC (Z-2016-2 : 1130 Bay Street)


GULF OIL CORPORATION
20' WIDE EASEMENT
LAND COURT CERT. #6995
LAND COURT PLAN #18539-G
NEW YORK CENTRAL LINES LLC
BOOK 10843 PAGE 50
RAILROAD RIGHT-OF-WAY
N67°20'39"E
234.64'
6' HIGH CHAINLINK FENCE
CONCRETE SIDEWALK
LAND COURT PLAN 18539G
LOT 13A
AREA=
1.198 ACRES
BUSINESS B
264.18'
INDUSTRIAL A
BUSINESS B
MASSCONN EXCAVATING AND
LANDSCAPING, INC.
LAND COURT CERT. #35925
LAND COURT PLAN #18539-G
APPROXIMATE ZONE LINE
RESIDENCE A ZONE
ROOSEVELT AVENUE
SOUTH-BOUND LANES
NORTH-BOUND LANES
S05°10'35"E
232.04'
N05°10'35"W
GAS STATION/
CONVENIENCE STORE
"BUSINESS B ZONE"
ONE STORY
OFFICE
BUILDING
B&D PETROLEUM SALES, INC.
LAND COURT CERT. #22427
LAND COURT PLAN #18539-G
"BUSINESS B ZONE"
BUILDING
1130
2.50'
CITY OF SPRINGFIELD
EXECUTIVE ORDER #05-11-058
PERMANENT EASEMENT
PARCEL E-10
PLAN BOOK 346 PAGE 68
6' HIGH CHAINLINK FENCE
S83°54'45"W 150.00' TOTAL
147.50' TO HIGHWAY EASEMENT
51'±
GATE
CONC. PAD
BUILDING
1140
OVERHANG
EDGE OF PAVEMENT
CONCRETE SIDEWALK
LILLY ENTERPRISE INC.
1160 BAY STREET
OFFICE BUILDING
"BUSINESS A ZONE"
PAVEMENT
100.00'
S05°10'35"E
39'±
71.87'
JOHN E. HESEN &
DAVID W. JENKS
LAND COURT CERT. #18289
LAND COURT PLAN #18539-G
"BUSINESS B ZONE"
CITY OF SPRINGFIELD
EXECUTIVE ORDER #05-11-058
PERMANENT EASEMENT
PARCEL E-11
PLAN BOOK 346 PAGE 68
S05°10'35"E
L=56.02'
75.00'
S83°54'45"W
CURB CUT
CURB CUT
CURB CUT
S83°54'45"W
105.45'
124.96'
R=42.00'
R=25.00'
(=39.31')
CURB CUT
BAY STREET
CITY OF SPRINGFIELD
CENTRAL HIGH SCHOOL
"RESIDENCE B ZONE"
NOTES:
1. FOR REFERENCE TO ENCLOSED PERIMETER SEE LAND COURT CERTIFICATE 35925 AND LAND COURT PLAN 18539-G.
LEGEND
BOUND FOUND
IRON PIPE FOUND
IRON ROD FOUND
IRON PIPE SET
CATCH BASIN
DRAINAGE MANHOLE
SANITARY MANHOLE
ELECTRIC MANHOLE
ZONE LINE
UTILITY POLE
LIGHT POLE
HYDRANT
WATER GATE
GAS GATE
CHAIN LINK FENCE
PLAN OF LAND IN
SPRINGFIELD, MASSACHUSETTS
SURVEYED FOR
MASSCONN EXCAVATING AND LANDSCAPING, INC.
SCALE: 1" = 20'
0 10 20 30 40 60
DATE: JANUARY 6, 2016
HERITAGE SURVEYS, INC.
REGISTERED PROFESSIONAL LAND SURVEYORS
COLLEGE HIGHWAY & CLARK STREET
POST OFFICE BOX 1
SOUTHAMPTON, MASSACHUSETTS
(413) 527-3600
COMMONWEALTH OF MASSACHUSETTS
BRUCE A. GRONDIN
No. 27814
REGISTERED LAND SURVEYOR
JOB # 7191-151218
DWG # 7191co02
MAP # 7191-160105



Attachment: 3181_1130_Bay_St_2016_CC (Z-2016-2 : 1130 Bay Street)

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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 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_CC (Z-2016-2 : 1130 Bay Street)

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REPORT TO CITY COUNCIL
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PETITION: #3181
SECTION: 32

DATE: February 4, 2016

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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_CC (Z-2016-2 : 1130 Bay Street)

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 FIRST PAGE REALTY TRUST Address: 10 BEECHWOOD DR. 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 30,000gal.

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

Signature of Applicant FIRST PAGE REALTY TRUST
BY MICHAEL BERGDOLL TRUSTEE

Mailing Address
10 BEECHWOOD DR.
WILBRAHAM, MA
01095

Approved--Disapproved

Joseph A Conant
Chief of Fire Department

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

Petition Fee: $ 250.00
Lic. Fee: $ 66.00
Adv Fee: $ 60.00
Total: $ 376.00

CHK # 3461

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

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

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