



City Council

Hearings Meeting

~ Final ~

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

Gladys Oyola-Lopez
413-787-6096

Monday, February 28, 2022

7:00 PM

Springfield City Hall -- Council Chambers

Hearings

7pm Meeting called to order on February 28, 2022 at Virtual Meeting (Zoom)

Attendee Name	Title	Status	Arrived
Maria Perez		Present	
Jesse Lederman	Vice President	Present	
Sean Curran	At-Large Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Malo Brown	Ward 4 Councilor	Present	
Victor Davila	Ward 6 Councilor	Present	
Justin Hurst	At Large Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Zaida Govan	Ward 8 City Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Tracye Whitfield	At Large City Councilor	Present	7:20 PM
Marcus J Williams	President	Present	

Moment of Silence - Pledge of Allegiance

Special Permits

1. Special Permit (ID # 6487)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Marijuana Cultivator) at a Portion of the Property Known as 299 Page Boulevard (09440-1100) (Book#22629/Page#91), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.2.

Request: See Above
Owner: DAL Page, LLC
By: Davis Goodman, Manager
Petitioner: Page Cultivate, LLC
By: Mark Waldron, Manager

HISTORY:

11/22/21	City Council	TABLED
Next: 12/13/21		
12/13/21	City Council	CONTINUE VOTE
Next: 01/24/22		
01/24/22	City Council	CONTINUE VOTE
Next: 02/07/22		
02/07/22	City Council	TABLED
Next: 02/28/22		

COMMENTS - Current Meeting:

Items 1-6 were tabled to be heard at a later date.

Councilor Lederman made a motion to table items #1-6 (all marijuana items) until a later date.

Councilor Lederman is not comfortable moving forward until City Council has a meeting to discuss the issues (auditing & laws)

Motion Seconded by Councilor Edwards.

ATTACHMENTS:

- 299_Page_BI_Adult_Use_Cultivation_Tax_Formal (PDF)
- Page_BI_299_Adult_Use_2021 (PDF)

RESULT: TABLED

Next: 3/21/2022 7:00 PM

2. Special Permit (ID # 6516)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 1685 Boston Road (01655-0415) (Book#21891/Page#196) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1.

Request: See Above
 Owner: 1685 Boston Road, LLC
 By: Chuck Breidenbach
 Petitioner: Diem Springfield, LLC
 By: Christopher Mitchem/Luiselis Hernandez

HISTORY:

12/13/21 Next: 01/24/22	City Council	CONTINUE VOTE
01/24/22 Next: 02/01/22	City Council	TABLED
02/01/22 Next: 02/07/22	City Council	CONTINUE VOTE
02/07/22 Next: 02/28/22	City Council	TABLED

COMMENTS - Current Meeting:

Items 1-6 were tabled to be heard at a later date.

ATTACHMENTS:

- Boston_Rd_1685_Tax_Formal_Retail (PDF)
- Boston_Rd_1685_Adult_Use_2021 (PDF)

RESULT: TABLED

Next: 3/21/2022 7:00 PM

3. Special Permit (ID # 6517)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Marijuana Cultivation) at the Property Known as 1685 Boston Road (01655-0415) (Book#21891/Page#196) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.2.

Request: See Above

Owner: 1685 Boston Road, LLC
 By: Chuck Breidenbach
 Petitioner: Diem Springfield, LLC
 By: Christopher Mitchem/Luiselis Hernandez

HISTORY:

12/13/21	City Council	CONTINUE VOTE
Next: 01/24/22		
01/24/22	City Council	TABLED
Next: 02/01/22		
02/01/22	City Council	CONTINUE VOTE
Next: 02/07/22		
02/07/22	City Council	TABLED
Next: 02/28/22		

COMMENTS - Current Meeting:

Items 1-6 were tabled to be heard at a later date.

ATTACHMENTS:

- Boston_Rd_1685_Tax_Formal_Cultivation (PDF)
- Boston_Rd_1685_Adult_Use_2021 (PDF)

RESULT: TABLED

Next: 3/21/2022 7:00 PM

4. Special Permit (ID # 6564)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 479 Main Street, I.O. (08132-0172) (Book#07157/Page#0528), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(1).

Request: See Above
 Owner: Linden Shopping Center, Inc.
 By: Mark Melikian
 Petitioner: Enlight Cannabis Dispensary
 By: Matt Yee, Chief Operating Officer

HISTORY:

01/24/22	City Council	TABLED
Next: 02/01/22		
02/01/22	City Council	CONTINUE VOTE
Next: 02/07/22		
02/07/22	City Council	TABLED
Next: 02/28/22		

COMMENTS - Current Meeting:

Items 1-6 were tabled to be heard at a later date.

ATTACHMENTS:

- Main_St_IO_479_Adult_Use_Tax_Formal (PDF)
- Main_St_479_IO_Adult_Use_Jan_2022 (PDF)

RESULT: TABLED

Next: 3/21/2022 7:00 PM

5. Special Permit (ID # 6576)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Delivery) at the Property Known as 1860 Main Street (08130-0177) (Book#3328/Page#504), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(2).

Request: See Above
Owner: The Republican Company
By: George Arwady
Petitioner: Tree N' Brick
By: Taylor Shubrick

COMMENTS - Current Meeting:

Items 1-6 were tabled to be heard at a later date.

ATTACHMENTS:

- Main_St_1860_Adult_Use_Delivery_Tax_Formal (PDF)
- Main_St_1860_Adult_Use_2022 (PDF)

RESULT: TABLED

Next: 3/21/2022 7:00 PM

6. Special Permit (ID # 6577)

For a Special Permit to Operate an Adult Use Marijuana Establishment (Storefront Retail) at the Property Known as 587-595 Main Street (08130-0623) (Book#19962/Page#263) and ES Main Street (08130-0621) (Book#20551/Page#461) as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 20.1(1).

Request: See Above
Owner: New Glory, Inc./Glory Inc.
By: Hyo J. Lee, Director
Petitioner: Lemonade Springfield, LLC
By: Brittany Washum, Manger

COMMENTS - Current Meeting:

Items 1-6 were tabled to be heard at a later date.

ATTACHMENTS:

- Main_St_595_Adult_Use_Tax_Formal (PDF)
- Main_St_587_595_Adult_Use_2022 (PDF)

RESULT: TABLED

Next: 3/21/2022 7:00 PM

7. Special Permit (ID # 6592)

For a Special Permit for an Accessory Wall Sign(S), Above the First Floor, at the Property Known as 721 State Street (11110-0508) (Book#16103/Page#0398), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Request: See Above
Owner: Springfield Partners for Community Action, Inc.
By: Paul Bailey
Petitioner: Springfield Partners for Community Action, Inc.
By: Paul Bailey

COMMENTS - Current Meeting:

Harry Auerbach, Account Executive for Agnoli Sign Company, Inc, spoke in favor for this special permit, which will be a new sign for the building.

Motion to continue was made by Councilor Allen.

Seconded by Councilor Govan.

ATTACHMENTS:

- State_St_721_Tax_Formal (PDF)
- State_St_721_2022 (PDF)

RESULT:	CONTINUE VOTE [11 TO 0]	Next: 3/7/2022 7:00 PM
MOVER:	Timothy C. Allen, Ward 7 Councilor	
SECONDER:	Zaida Govan, Ward 8 City Councilor	
AYES:	Lederman, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Whitfield, Williams	
AWAY:	Michael A. Fenton	
RECUSED:	Maria Perez	

Zoning Changes

8. Zoning Change (ID # 6368)

To Change the Zoning of the Property Known as 797 Berkshire Avenue (01340-0402) and Rear Berkshire Avenue (01340-0356) from Business a to Business B.

PETITIONER: 1626 Bay Street, LLC

ADDRESS: 797 Berkshire Avenue. et.al.

CHANGE REQUESTED: Bus A to Bus B

HISTORY:

09/01/21 Next: 09/15/21	City Planning Board	MOTION TO CONTINUE
09/13/21 Next: 10/25/21	City Council	CONTINUE
09/15/21 Next: 10/06/21	City Planning Board	MOTION TO CONTINUE
09/20/21 Next: 10/25/21	City Council	MEETING CANCELED
10/04/21 Next: 10/25/21	City Council	CONTINUE VOTE
10/06/21 Next: 10/20/21	City Planning Board	MOTION TO CONTINUE
10/20/21 Next: 11/17/21	City Planning Board	CONTINUE
10/25/21 Next: 11/22/21	City Council	CONTINUE VOTE
11/17/21 Next: 12/01/21	City Planning Board	CONTINUE VOTE

11/22/21 Next: 12/13/21	City Council	CONTINUE VOTE
12/01/21 Next: 12/15/21	City Planning Board	CONTINUE
12/13/21 Next: 01/24/22	City Council	CONTINUE VOTE
12/15/21 Next: 01/05/22	City Planning Board	CONTINUE
01/05/22 Next: 01/19/22	City Planning Board	CONTINUE
01/19/22 Next: 02/02/22	City Planning Board	CONTINUE
01/24/22 Next: 02/01/22	City Council	LAY ON THE TABLE
02/01/22 Next: 02/28/22	City Council	CONTINUE
02/02/22 Next: 02/16/22	City Planning Board	CONTINUE
02/16/22	City Planning Board	APPROVED

COMMENTS - Current Meeting:

Michael Martone, Owner, spoke in favor of item #8.

Martone is looking for a Zone change from business A to Business B. He currently owns the properties and is looking to expand his existing business on Bay Street.

Gladys Oyola-Lopez, City Clerk, summarized three testimonies against the zone change (all available in City Clerks Office.)

All testimonies were sent by abutters, Linn & Valarie Morrison, Cindy Rushlow, Carol Ethier & Helen Broska.

Councilor Govan stated they had public meetings with the neighbors and there was no opposition.

Phil Dromey stated that there was a meeting addressing the concerns and nothing has been found from the Zoning Inspector & all needed agencies who has been out to the sight numerous amount of times.

Councilor Brown, Davilia & Lederman questioned the petitioner

Motion to continue made by Councilor Walsh Seconded by Councilor Allen.

Item continued.

ATTACHMENTS:

- 3225_797_Berkshire_Ave_2021 (PDF)
- 3225_797_Berkshire_Ave_PB_Report_Feb_2022 (PDF)

RESULT:	CONTINUE [UNANIMOUS]	Next: 3/7/2022 7:00 PM
MOVER:	Kateri B. Walsh, At-Large Councilor	
SECONDER:	Timothy C. Allen, Ward 7 Councilor	
AYES:	Perez, Lederman, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Williams	

9. Zoning Change (ID # 6589)

To Change the Zoning of a Portion of the Property Known as 53 Wilbraham Road (12282-1006) and the Property Known as 42 Waltham Avenue (11960-0010) from Industrial a to Business B.

PETITIONER: Knox I & II, LP

ADDRESS: 53 Wilbraham Road/42 Waltham Ave

CHANGE REQUESTED: Ind A to Bus B

HISTORY:

02/02/22 City Planning Board **CONTINUE**
Next: 02/16/22

02/07/22 City Council **CONTINUE**
Next: 02/28/22

02/16/22 City Planning Board **APPROVED**

COMMENTS - Current Meeting:

Gordon Pulsifer, President of First Resource Development Company, Hanover, Mass spoke in support of the Zoning Change.

Councilor Brown spoke in favor of the project and noted the need for housing.

Councilor Brown asked about the high demand for the units being built by First Resource Development Company.

Mr. Pulsifer explained the large applicant pool in previous projects for a relatively small number of available units.

Mr. Lederman stated that he was excited to see the Knox project moving forward and asked whether anyone knew about why the zoning was so strange.

Phil Dromey stated that there are a number of properties in the City that are split zoned.

Councilor Whitfield made a motion to continue. The motion was seconded by Councilor Edwards.

The motion passed.

ATTACHMENTS:

- 3228_53_Wilbraham_42_Waltham_2022 (PDF)
- 3228_53_Wilbraham_Rd_PB_Report_Feb_2022 (PDF)

RESULT:	CONTINUE [UNANIMOUS]	Next: 3/7/2022 7:00 PM
MOVER:	Tracye Whitfield, At Large City Councilor	
SECONDER:	Melvin A. Edwards, Ward 3 Councilor	
AYES:	Perez, Lederman, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Williams	

Executive Session

"Executive Session for the purpose of discussing litigation strategy relative to Superior Court Civil Action No. 2179CV00203, where the President of the City Council has determined that discussion in open session would detrimentally impact the litigating position of the public body."

Council will reconvene in open session.

The Council met in Executive session. Councilors Williams, Perez, Lederman, Davila, Edwards, Allen, Fenton, Curran, Walsh, Brown, Hurst, Govan and Whitfield were all marked present and alone.

Attorney Thomas Moore presented to the body regarding the Lyman Corners order.

The Council reconvened in open session.

Orders

10. Order (ID # 6625)

MOU with Lyman Corners, LLC and Pilar 2, LLC

HISTORY:

02/09/22 City Council LAY ON TABLE

COMMENTS - Current Meeting:

The City Clerk took a roll call of the members present.

Attorney Moore read the MOU into the record.

Motion to approve made by Councilor Fenton and Seconded by Councilor Allen.

Councilor Brown asked for clarification on what a "yes" vote.

Attorney Moore stated that a "yes" vote would be approval of the proposed settlement agreement.

The Settlement agreement would be that the Council would hold a rehearing of the permit.

The order failed to passed.

RESULT: **DEFEATED [6 TO 7]**

MOVER: Marcus J Williams, President

AYES: Perez, Lederman, Davila, Edwards, Allen, Fenton

NAYS: Curran, Walsh, Brown, Hurst, Govan, Whitfield, Williams