



City Council

Hearings Meeting

~ Draft ~

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

Gladys Oyola-Lopez
413-787-6096

Monday, November 28, 2022

7:00 PM

Springfield City Hall -- Council Chambers

Hearings

7:00 PM Meeting called to order on November 28, 2022 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Maria Perez		Present	
Lavar Click-Bruce	Ward 5 City Councilor	Present	
Sean Curran	At-Large Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Remote	
Malo Brown	Ward 4 Councilor	Remote	
Victor Davila	Ward 6 Councilor	Present	
Justin Hurst	At Large Councilor	Remote	
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	
Jesse Lederman	President	Present	

Moment of Silence - Pledge of Allegiance

Petitions

1. Petition (ID # 7136)

Clark Street

COMMENTS - Current Meeting:

Hector Velez, spoke on this item.

There were no questions from the Council.

ATTACHMENTS:

- 11-7-2022 Agenda city (PDF)

RESULT: **APPROVED [UNANIMOUS]**

AYES: Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

Special Permits

2. Special Permit (ID # 6964)

For a Special Permit to Operate an Indoor Place of Amusement on a Portion of the Property Known as 1377 Liberty Street (07770-0406)(Book#24320/Page#277), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 17.2 (1).

Request: See Above
Owner: 1277 Liberty Street, LLC
By: Zi Quan Zhang
Petitioner: Jun Zhang
By: Jun Zhang

HISTORY:

10/24/22 **City Council** **CONTINUE VOTE**
Next: 11/28/22

COMMENTS - Current Meeting:

Mr. Zhang, Swansea Massachusetts, was present to speak as the petitioner.

Bob Doty, 1250 St James Avenue, Bounce Trampoline. Duplication of services. Doesn't support the business and has reached out to Mr. Zhang.

Mr. Zhang asserted his right to open a business even if it is in close proximity to another similar business.

Bob Doty spoke to the disappointment of lack of response regarding concerns.

Councilor Fenton stated that at the HHNC the petitioner said he would reach out to the current owner of Bounce. Councilor Fenton made a motion to continue the item in order to next meeting. Second by Councilor Whitfield.

Councilor Davila asked if the petitioner purchased the entire plaza. Also inquired about the capacity of the location.

ATTACHMENTS:

- 1377_Liberty_St_Tax_Formal (PDF)
- Liberty_St_1377_(indoor_place_of_amusement)_2022 (PDF)

3. Special Permit (ID # 7089)

For a Special Permit to Reopen a Pre-Existing, Non-Conforming Use (11 Residential Units), at the Property Known as 169 Maple Street (08218-0165) (Book #24353/Page#322), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 10, Section 10.1.41(B).

Request: See Above
Owner: City of Springfield
By: Christopher Caputo,
Treasurer/Collector
Petitioner: Davenport Advisors, LLC
By: Joy Martin

COMMENTS - Current Meeting:

Joy Martin, Davenport Advisors presented the plan.

Spoke on the rehabilitation of the building located at 169 Maple Street.

Anthony Breglio, 167 Maple Street. Dr. Breglio is concerned about the construction vehicles that may obstruct access to his business. He is a dentist who owns the business at 167 Maple Street.

Councilor Whitfield asked if there would be diversity in hiring on this rehabilitation project. Joy stated there was a plan.

Joy Martin noted that Davenport Advisors is a state certified minority owned business.

Councilor Walsh asked Ms. Martin to address the concerns raised by Dr. Breglio regarding construction vehicles.

Ms. Martin said that a vacant lot and town houses across the street would be utilized for construction parking. Offered to share her construction and parking plan with Dr. Breglio.

Councilor Davila asked Ms. Martin to share the security plans for the traffic on Maple Street.

Ms. Martin stated the general contractor would be charged with the parking/security on the site. Plans to share a weekly/bi-weekly update with the neighbors.

Councilor Govan asked affordable housing and stated she was aware this project is market rate housing.

Councilor Allen asked about the Overland Lofts and whether this project was similar. Ms. Martin said that these apartments are approximately 2,000 square feet. This project offers a unique size apartment.

Councilor Brown asked if Ms. Martin has spoken to Dr. Breglio. Ms. Martin said she has not. Councilor Brown suggested that being a "good neighbor" to existing businesses and residents is important. Ms. Martin will be the person reporting out if the permit is approved.

Councilor Perez noted that she would be in support.

Councilor Davila asked what the total investment in the project. Ms. Martin stated 3.3 million dollars.

ATTACHMENTS:

- 169_Maple_Street_Tax_Formal (PDF)
- Maple_St_169_2022 (PDF)

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen, Govan, Fenton, Whitfield, Lederman

Vote on the Reasons

4. Special Permit (ID # 7091)

For a Special Permit to Operate a Drive-Up Service Window at the Property Known as SS West Street (12145-0047)(Book#19619/Page#332), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 19.1(2).

Request:	See Above
Owner:	The Pride Limited Partnership
By:	Robert Bolduc
Petitioner:	The Pride Limited Partnership
By:	Robert Bolduc

COMMENTS - Current Meeting:

Bob Bolduc presented the project for a new Starbucks with a drive thru window at the SS of West Street between the Pride and the Boat House. Request that item 5 condition requiring irrigation system be built should be waived.

Councilor Perez presented the project to the Chair of the NNCC. The cross walk issue was addressed at that time.

Councilor Whitfield asked about the number of jobs that would be created by the creation of this Starbucks.

Mr. Bolduc responded 37 positions.

Councilor Whitfield also asked about the diversity hiring in the construction aspect of the project. Mr. Bolduc noted all of his projects meet the diversity hiring.

Councilor Allen asked for Phil Dromey to speak on the Planning responses. Phil Dromey has no concerns about the project. He would like item #5 to remain as part of the conditions. Happy that the pedestrian connection was included in the final plan.

Councilor Davila asked how many locations he owns in Springfield. Will you own this property?

Mr. Bolduc: Yes.

Councilor Davila: What is the total investment and capacity of patrons?

Mr. Bolduc: 2 million. Twice the queueing capacity of the East Columbus Starbucks location.

Councilor Davila raised concerns regarding the traffic plan at the site due to the North End Bridge. He asked Phil Dromey to expand and why the traffic plan was not included in the agenda packet.

Phil Dromey said he typically submits a site plan not a full traffic study.

Councilor Davila asked about the crime at the specific location and potential pan handling.

Mr. Bolduc explained his current policy and suggested that studies should be done on how to address this issue. Noted that it is a citywide issue.

Councilor Edwards made motion to withdraw condition #5. Second by Councilor Walsh

Councilor Whitfield asked Phil Dromey why the irrigation condition was included in the conditions of this special permit. Is there a lot of greenery?

Councilor Whitfield agrees that Mr. Bolduc is a great business person but is concerned about future owners.

Councilor Fenton asked Phil Dromey about the access to the business. Phil Dromey clarified that no additional curb cuts would be created. Councilor Fenton stated that he will vote against the motion.

Councilor Perez noted that the traffic issues were discussed with the neighborhoods

Councilor Whitfield asked what happens if the petitioner doesn't get an easement. Councilor Fenton explained the easement issue.

Councilor Davila noted that no letter of support was included in the Planning packet. He "remains extremely anxious with the traffic". Made motion to include traffic study within 6 months. Councilor Whitfield second motion. Motion does not pass.

Councilor Govan not in favor of this motion.

Councilor Perez attended the meeting with the NNCC and the petitioners. Feel offended when she is questioned about the matter when she is making a presentation.

Councilor Davila was annoyed that the file was incomplete. The good reputation of the petitioner is the only thing keeping him from voting no.

Reiterated the high volume of traffic coming over from West Springfield from the bridge on West Street.

Councilor Perez asked Phil Dromey if there was a report specifically about traffic? Phil Dromey: the review DPW does takes longer and he typically adds a DPW review as a condition. He has been in communication with the City engineer and Mr. Dromey was not made aware of any further concerns.

Councilor Brown stated that if Councilor Perez and the NNCC is in support, he is also in support.

ATTACHMENTS:

- West_St_SS_Tax_Formal (PDF)
- West_St_SS_2022 (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Edwards, Allen, Govan, Fenton, Whitfield, Lederman
AWAY:	Justin Hurst

Strike Condition 5

Motion made by Councilor Edwards

Motion seconded by Councilor Walsh

Add Condition 17

Condition 17:

The Petitioner shall produce a traffic study within 6 months and report out to the Traffic Commission, Planning and the City Council.

Vote on the Reasons

5. Special Permit (ID # 7092)

For a Special Permit to for the Expansion of a Pre-Existing, Non-Conforming Use (Gas Station), at the Properties Known as 643-649 Main Street (08130-0617)(Book#24696/Page#182) and 679 Main Street (08130-0614) (Book#15567/Page#0421), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 10, Section 10.1.30.

Request:	See Above
Owner:	Zahoor UI Haq
By:	Zahoor UI Haq
Petitioner:	Zahoor UI Haq
By:	Zahoor UI Haq

COMMENTS - Current Meeting:

Phillipe Crevo, R Levesque Associates presented on behalf of the petitioner. Mr. Crevo noted the SECC is in support of the project. He also noted that Mr. Haq has no objections to the conditions set forth by the Planning Department.

Zahoor Haq, 551 Main Street Agawam, MA was also present

Councilor Fenton noted that the Planning Dept had a concern about the proposed dumpster. Mr. Crevo noted that the dumpster was already in existence on the property but noted that they could move it further into the property if necessary. Councilor asked about the fencing. Mr. Haq noted it was erected by prior owner. Mr. Haq noted he was willing to erect a 6ft white vinyl fence be installed along the length of the property line with the abutting parcels on Saratoga Street. Fenton/ Whitfield.

Councilor Davila asked for clarification on the plans. Mr. Haq explained the demolition and construction plans. Councilor Davila asked for clarification from Phil Dromey.

ATTACHMENTS:

- Main_St_643_679_Tax_Formal (PDF)
- Main_St_679_2022 (PDF)

RESULT:	ADOPTED [12 TO 0]
AYES:	Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Allen, Govan, Fenton, Whitfield, Lederman
AWAY:	Melvin A. Edwards

Add New Condition**Vote on the Reasons****Zoning Changes****6. Zoning Change (ID # 6920)**

To Change the Zoning of the Properties Known as 1400 State Street (11110-0275) and 1414 State Street (11110-0278) from Residence C to Business A.

PETITIONER:	Springfield Planning Board
ADDRESS:	1400 State Street & 1414 State Street
CHANGE REQUESTED:	Res C to Bus A

HISTORY:

08/17/22	Planning Board	APPROVED
09/19/22	City Council	
09/27/22	City Council	CONTINUE
Next: 11/28/22		

COMMENTS - Current Meeting:

Phil Dromey spoke on the Zoning Change. He explained the special permit review or site plan review process. Change to Business A provides a better development opportunities for that location. Zone change is a specifically land use related issue. The historic nature of a building on the property. No historic designation of the building as it stands because it is less than 100 years old.

Tim Sheehan, EcoDev, noted that reuse and rehab of the site is hampered by the neighborhood being firmly against the property being developed into housing. If the zone change doesn't go through the site will potentially be boarded up and left vacant.

James Johnson and Erica Swallows. Do support the development of the site. Do support the rezoning but not quite now. *****

Erica Swallow Believes a redevelopment plan should be presented. Also, the city council should wait to oppose the zoning change until such development plan is presented. She urges the City Council to only approve if redevelopment plan that preserve the historic and architectural significance. Councilor Brown supports this.

Tim Sheehan stated that finding is over 3 decades old. The reference to demolition is something that can happen today. A no tonight will impact a potential sale. No buyer will go into the purchase with the restriction of Business C.

Motion to continue by Councilor Edwards Second by Councilor Davila.

Councilor Whitfield had questions for Tim Sheehan and Phil Dromey. PPNC is not supportive of any housing on the property. Councilor Click-Bruce was at the PPNC meeting.

Tim Sheehan clarified that the property has been put out to the market for sale. Some development entities are interested. However, no business is going to go into full property planning until a change in the zoning happens. Intent of the zone change is so the building doesn't become vacant, boarded and secured.

Council Whitfield asked for clarification about how continuing the item would prohibit more conversation on the zone change.

Councilor Govan asked Tim Sheehan if the City is requesting the zone change.

Sheehan: The Planning Board is requesting the zone change. This sale is the third attempt the owner has advanced.

Govan: Do you know when the owner is leaving?

Sheehan: Months not years.

Govan: Agrees that if left vacant the property would be vandalized.

Councilor Davila asked Tim Sheehan to confirm if Baystate will taking over the property. Sheehan: Baystate will be taking over a contract for a service being provided in the building right now. Vibra will continue to own the building. The will vacate the property, board and secure it.

Davila: where will the patients be relocated to? Stated that there are in hospital psychiatric services and questions where will those patients be moved to? Will continue his second on the motion to continue.

Councilor Allen asked Tim Sheehan on how urgent the matter is. Sheehan: If it is a matter of a couple of weeks it will be okay. If as Councilor Whitfield stated we are continuing 3 or 4 more times, it will be problematic.

Councilor Govan noted that Baystate will be opening a new psychiatric facility in Holyoke.

Councilor Davila noted he doesn't like taking votes under duress.

Councilor Perez asked Tim Sheehan about the preservation of the building on the property. He noted the Special Permit process could be the mechanism where the Council could exert preservation restrictions.

Councilor Curran in favor of approving the zone change tonight. Send a message that the Council is not in the habit of hindering business. Not approving the zone change slows down the project unnecessarily.

Councilor Click-Bruce is in support of the PPNC and the zone change while also being cognizant of the historical nature of the building.

Councilor Brown asked about potential developers. Sheehan: spoke about the current interested parties. Ultimately up to the Council whether they want to advance on this or not.

Councilor Davila spoke again the view of the trust. Also the intention of the potential buyers.

Councilor Hurst asked if the Council has heard from the owner and whether they were present today.

Councilor Whitfield asked if the owners will still have to pay property taxes if they leave the building.

Sheehan: yes but based on no tenants so it will be less.

Whitfield: what happens if we don't approve tonight.

Lederman: Read Rule 23 and Rule 24 and asked Phil Dromey about the final report of the Planning Board.

Councilor Whitfield: Motion to move the question. Second Perez

ATTACHMENTS:

- 3231_1400_State_St_Zone_Change_Formal (PDF)

- 3231_1400_State_St_2022 (PDF)
- 3231_1400_State_St_2022_PB_Report (PDF)

RESULT:	DENIED [7 TO 6]
AYES:	Perez, Click-Bruce, Curran, Walsh, Allen, Govan, Fenton
NAYS:	Brown, Davila, Hurst, Edwards, Whitfield, Lederman

Motion to Continue

***** Enter who made the motion and seconded *****

7. Zoning Change (ID # 7046)

To Change the Zoning of the Property Known as SS Central Street (02560-0220) from Residence C to Commercial P.

PETITIONER:	Davenport Advisors, LLC
ADDRESS:	SS Central Street
CHANGE REQUESTED:	Residence C to Commercial P

HISTORY:

10/17/22	City Council	
11/02/22	Planning Board	APPROVED

COMMENTS - Current Meeting:

Joy Martin, Davenport

11 parking spaces for 11 apartments.

Councilor Whitfield asked if Davenport already owns the lot.

Martin: No. This is part of the RFP

Whitfield: where is the overflow parking?

Martin: Overflow would be on street and an easement with the town houses across the street.

Councilor Fenton asked for clarification on the location of the parking lot.

Councilor Davila asked for the definition of Commercial P

Dromey: Commercial P is strictly for parking

ATTACHMENTS:

- 3234_SS_Central_St_Formal (PDF)
- 3234_SS_Central_Street_2022 (PDF)
- 3234_SS_Central_St_2022_PB_Report (PDF)

RESULT: **APPROVED [UNANIMOUS]**

AYES: Perez, Click-Bruce, Curran, Walsh, Brown, Davila, Hurst, Edwards, Allen,
Govan, Fenton, Whitfield, Lederman