



City of Springfield

Special Meeting

~ Agenda ~

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

Linda Fitzpatrick
413-787-6559

Monday, April 25, 2016

6:00 PM

Springfield City Hall -- Council Chambers

I. Special Acts

1. Special Act (ID # 3463)

Special Act to Convert Park Land and Replace Park Land at Ruth Elizabeth Park, Article 97

HISTORY:

04/04/16

City Council

REFERRED TO COMMITTEE

Next: 04/25/16

ATTACHMENTS:

- Ruth Elizabeth Park, Article 97 Special Act Exhibits (PDF)
- Ruth Elizabeth Park, Special Act, Informational (PDF)
- conversion approval of Ruth Elizabeth Park (DOC)



City of Springfield

36 Court Street
Springfield, MA 01103

TABLED

SPECIAL ACT (ID # 3463)

Meeting: 04/25/16 06:00 PM

Department: Law

Category: General

Prepared By: Kathy Breck

Initiator: Kathy Breck

Sponsors: Mayor Domenic J. Sarno

DOC ID: 3463

Special Act to Convert Park Land and Replace Park Land at Ruth Elizabeth Park, Article 97

**ORDER APPROVING A SPECIAL ACT AUTHORIZING
THE CITY OF SPRINGFIELD
TO CONVERT PARK LAND AT RUTH ELIZABETH PARK
FOR TRAFFIC IMPROVEMENT USE
PURSUANT TO ARTICLE 97
AND TO ACQUIRE AND DEDICATE REPLACEMENT PARK LAND**

WHEREAS, the City of Springfield is the owner of a certain parcel of land consisting of just over 5.922 acres, that is designated park land and is known as "Ruth Elizabeth Park", which is bounded by Hancock Street, Hickory Street, and Walnut Street in Springfield, Massachusetts; and

WHEREAS, as part of the proposed "Central Street Traffic Improvement Project", the City of Springfield has a need to provide its residents with two-way traffic and 6-foot sidewalks on either side of Hickory Street, which will provide safer vehicular circulation patterns and pedestrian access to the nearby Elias Brookings Elementary school, as well as park users and neighborhood residents; and

WHEREAS, the only feasible way to construct the improvements to Hickory Street and the sidewalks on both sides of the street, is to realign Hickory Street, which construction will require the change of use of a narrow segment of park land, approximately 6 feet wide and totaling 0.054 acres, along the southerly boundary of Ruth Elizabeth Park abutting Hickory Street, shown as the "Conversion Parcel" on the Plan attached hereto as Exhibit #1, which land is proposed to be maintained and controlled by the City of Springfield Department of Public Works ("Conversion Parcel"); and

WHEREAS, the Springfield Park Commission has determined that the conversion and transfer of the depicted "Conversion Parcel": (i) will not have a deleterious impact on the operation, activity, and availability of Ruth Elizabeth Park to the public; (ii) that no specific recreation resources, facilities, activities, or opportunities will be impacted; (iii) that the Conversion Parcel currently consists of the park fence line and woody growth along the fence, as well as lawn areas bordering the fence line; (iv)

there are no structures, resources, or park amenities within the land area proposed to be converted; and (v) that the remaining 5.868 acres of Ruth Elizabeth Park allows for the continued use of Ruth Elizabeth Park; and on February 3, 2016, the Springfield Park Commission voted its approval of the conversion of the parcel of land; and

WHEREAS, the City will take all necessary steps to replace the 0.054 acres of converted park land with replacement park land totaling 0.802 acres, by acquiring and converting the land shown on Exhibit #1 as Acquisition Parcels A, B, and C, abutting Hickory Street and Walnut Street, and dedicating such land as replacement park land under the control of the Springfield Park Commission, which will become a part of Ruth Elizabeth Park, resulting in a net gain of 0.748 acres of park land;

WHEREAS, the replacement of 0.802 acres on Hickory and Walnut Streets, for the conversion of 0.054 acres of Ruth Elizabeth Park for traffic improvement purposes, has been reviewed by the Commonwealth of Massachusetts Energy and Conservation Services, which has given its approval to the United States Department of the Interior, National Parks Service, for the change of use of the Conversion Parcel in order to provide safer vehicular circulation patterns and pedestrian access to the nearby Elias Brookings Elementary school, as well as park users and neighborhood residents, and has approved the acquisition and dedication of Acquisition Parcels A, B, and C as replacement park property; and

WHEREAS, the change of use of the Conversion Parcel from park land to traffic improvement purposes, to allow 2-way traffic on Hickory Street and the construction of sidewalks on both sides of the street, will provide safer vehicular circulation patterns and pedestrian access to the nearby Elias Brookings Elementary school, as well as park users and neighborhood residents, under the maintenance and control of the City of Springfield Department of Public Works, consistent with the terms and conditions stated herein, and in the attached Exhibits, provides an appropriate balance of the City's interest in assisting Springfield residents in expanding their access to Ruth Elizabeth Park, and improved safety in Springfield, with the important consideration of preserving park space for the public use; and

WHEREAS, it is in the best interest of the City to approve the change of use of the Conversion Parcel from park land to traffic

improvement purposes in order to provide safer vehicular circulation patterns and pedestrian access to the nearby Elias Brookings Elementary school, as well as park users and neighborhood residents to improve pedestrian access; and

WHEREAS, ARTICLE XCVII (97) of the Constitution of the Commonwealth of Massachusetts states lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the general court;

NOW THEREFORE, BE IT ORDERED,

A. That the Mayor of the City of Springfield be, and hereby is authorized on behalf of the City of Springfield, to take any and all steps necessary to secure the passage by the General Court of the special legislation entitled **"AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVERT PARK LAND AT RUTH ELIZABETH PARK FOR TRAFFIC IMPROVEMENT USE PURSUANT TO ARTICLE 97, AND TO ACQUIRE AND DEDICATE REPLACEMENT PARK LAND"** in substantially the same form as the draft Act attached hereto, except for clerical or editorial errors.

B. That upon enactment by the General Court of the above referenced **"AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVERT PARK LAND AT RUTH ELIZABETH PARK FOR TRAFFIC IMPROVEMENT USE PURSUANT TO ARTICLE 97, AND TO ACQUIRE AND DEDICATE REPLACEMENT PARK LAND"**, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield;

To change the use of the Conversion Parcel (0.054 acres) from park use under the control of the Park Commission, to traffic improvement use under the control of the Department of Public Works, and to acquire on behalf of the City, and take all necessary steps to formally transfer control of Acquisition Parcels A, B, and C (totaling 0.802 acres), to the Springfield Park Commission, to be dedicated for park purposes as part of Ruth Elizabeth Park, consistent with the terms and conditions of this Order and the attached Exhibits.

HISTORY:

04/04/16 City Council
Next: 04/25/16

REFERRED TO COMMITTEE

The Commonwealth of Massachusetts

In the Year Two Thousand Sixteen

AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVERT PARK LAND AT RUTH ELIZABETH PARK FOR TRAFFIC IMPROVEMENT USE PURSUANT TO ARTICLE 97, AND TO ACQUIRE AND DEDICATE REPLACEMENT PARK LAND

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The city of Springfield, acting by through its city council, with the approval of its mayor, may convert certain land known to be part of Ruth Elizabeth Park, to the Department of Public Works (DPW), for improvements to Hickory Street including two-way traffic and the installation of sidewalks on both sides of the street, to provide safer circulation patters and pedestrian access, as part of the Central Street Traffic Improvement Project. The portion of the land to be converted contains approximately 0.054 acres, and is shown as the "Conversion Parcel" on a plan entitled "Plan of Proposed Conversion and Acquisition" by GZA GeoEnvironmental, Inc., Engineers and Scientists. ("Plan").

SECTION 2. In consideration for the conversion of the Conversion Parcel, totaling 0.054 acres, to traffic improvement use under the control of the Department of Public Works, the City of Springfield will acquire and dedicate, and the Springfield Park Commission agrees to accept, approximately 0.802 acres of replacement park land consisting of Acquisition Parcels A, B, and C, as shown on the above-referenced Plan, which will thereafter become part of Ruth Elizabeth Park.

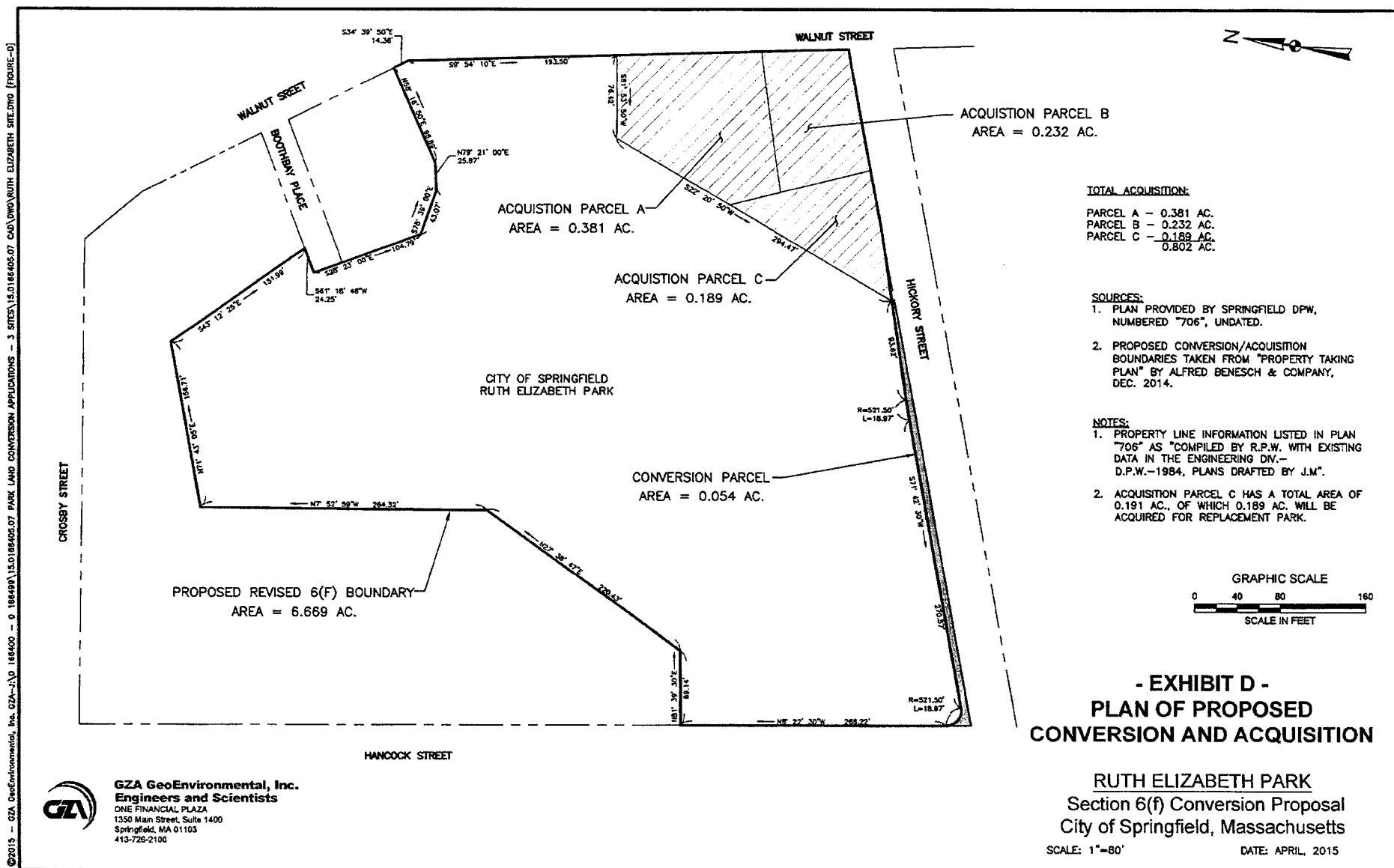
SECTION 3. This act shall take effect upon its passage.

*To the Honorable Senate and House of Representatives of the Commonwealth of
Massachusetts In the General Court Assembled.*

The undersigned, Domenic J. Sarno, Mayor of the City of Springfield, in the name and on behalf of said City, and in the pursuance of an order, a duly attested copy of which is hereto annexed, petition the General Court for legislation entitled "AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVERT PARK LAND AT RUTH ELIZABETH PARK FOR TRAFFIC IMPROVEMENT USE PURSUANT TO ARTICLE 97, AND TO ACQUIRE AND DEDICATE REPLACEMENT PARK LAND" in substantially the same form as a draft Act attached hereto.

Respectfully submitted,

Domenic J. Sarno, Mayor
City of Springfield
36 Court Street
Springfield, MA 01103



ATTACHED ARE EXCERPTS FROM THE MATERIALS SUBMITTED TO THE
NATIONAL PARK SERVICE FOR APPROVAL - FOR INFORMATIONAL
PURPOSES.:

especially prior to any appraisal activity. Any previous LWCF project agreements and actions must be identified and understood to determine the actual Section 6(f) boundary.

The Section 6(f)(3) conversion proposal including the required NEPA environmental review documents (CE recommendation or an EA document) must focus on the loss of public outdoor recreation park land and recreational usefulness, and its replacement per 36 CFR 59, and **not** the activities precipitating the conversion or benefits thereof, such as the impacts of constructing a new school to relieve overcrowding or constructing a hotel/restaurant facility to stimulate the local economy. Rather, the environmental review must 1) focus on "resource impacts" as indicated on the ESF (Step 6), including the loss of public park land and recreation opportunities (ESF A-15), and 2) the impacts of creating new replacement park land and replacement recreation opportunities. A separate ESF must be generated for the converted park area and each replacement site. Section 6(f)(3) conversions always have more than minor impacts to outdoor recreation (ESF A-15) as a result of loss of parkland requiring an EA, except for "small" conversions as defined in the LWCF Manual Chapter 8.

For NPS review and decision, the following elements are required to be included in the State's completed conversion proposal to be submitted to NPS:

1. A letter of transmittal from the SLO recommending the proposal.

See attached.

2. A detailed explanation of the sponsor's need to convert the Section 6(f) parkland including all efforts to consider other practical alternatives to this conversion, how they were evaluated, and the reasons they were not pursued.

The parkland conversion is needed to allow for the city to widen Hickory Street, which borders the park to the south, to accommodate two-way traffic as part of a larger traffic safety improvement project within the city. A small (0.054± acre), narrow segment of park along its southern frontage on Hickory Street would be converted to city land to provide for a 50-ft right-of-way for Hickory Street that will allow for two-way traffic and for a six foot sidewalk on either side of the road, which will provide safer circulation patterns and pedestrian access for the nearby Elias Brookings Elementary School, park users, and neighborhood residents. Other options were considered, including widening the roadway on the southerly side, widening both sides (to the north and south), and widening the northerly side. The preferred alignment was determined to be retaining the existing south side curb line and widening the roadway to the north toward Ruth Elizabeth Park to limit impacts to private residences and properties along the south edge of the roadway.

3. An explanation of how the conversion is in accord with the State Comprehensive Outdoor Recreation Plan (SCORP).

This conversion meets the SCORP goals of investing in recreation areas that are close to home for short visits within a short walk or ride to a large number of residents and investing in racially, economically, and age diverse neighborhoods. Ruth Elizabeth Park is located in Six Corners, a densely populated and racially diverse neighborhood with a large population of residents under the age of 18, as well as a large number of seniors. The replacement park will provide for a large extension of Ruth Elizabeth Park, which will provide better access, a gateway entrance, and additional amenities.

4. Completed "State Appraisal/Waiver Valuation Review form in Step 7 for each of the converted and replacement parcels certifying that the appraisals meet the "Uniform Appraisal Standards for Federal Land Acquisitions." States must retain copies of the appraisals/waiver valuations and make them available for review upon request.

See attached.

5. For the park land proposed for conversion, a detailed description including the following:
 - a. Specific geographic location on a map, 9-digit zip code, and name of park or recreation area proposed for conversion.

Ruth Elizabeth Park is located on land north of Hickory Street, between Hancock and Walnut Streets, in the Six Corners neighborhood within the city of Springfield, MA, at Latitude 42° 5.93'N and Longitude 72° 33.90'W. The 9-digit zip code for the park is 01105-1607. A small area (0.054± acres) along the southern boundary of Ruth Elizabeth Park at Hickory Street is proposed for conversion. Refer to Exhibit A, entitled "Conversion Locus Plan", prepared by GZA GeoEnvironmental, Inc., dated April 2015 which provides a locus of the park and surrounding neighborhood. Refer also to Exhibit B entitled "Existing Conditions Plan – Ruth Elizabeth Park", prepared by GZA GeoEnvironmental, Inc. (GZA), dated April 2015 which depicts the existing 6(f) area.

- b. Description of the area proposed for the conversion including the acreage to be converted and any acreage remaining. For determining the size of the conversion, consider not only the physical footprint of the activity precipitating the conversion, but how the precipitating activity will impact the entire 6(f) park area. In many cases the size of the converted area is larger than the physical footprint. Include a description of the recreation resources, facilities, and recreation opportunities that will be impacted, displaced or lost by the proposed conversion. For proposals to partially convert a Section 6(f) park area, the remaining 6(f) park land must remain recreationally viable and not be impacted by the activities that are precipitating the conversion. If it is anticipated that the precipitating activities impact the remaining Section 6(f) area, the proposed area for the conversion should be expanded to encompass all impacted park land.

The existing Ruth Elizabeth Park parcel consists of 5.922 acres of land. Ruth Elizabeth Park is located in the Six Corners neighborhood of Springfield between Hancock and Walnut Streets, bounded by Hickory Street to the south. The park contains a water spray play area, pavilion, two play structures with wood carpet safety surfacing, a basketball court with chain link fencing, pedestrian benches, water fountain, water and electrical utilities, landscaping with irrigation, ornamental fencing, and soccer/football field with underdrains and irrigation, as well as paved walkways. The park is abutted by the former Elias Brookings School along Hancock Street (which was severely damaged by a June 2011 tornado and has been replaced by a new school across Walnut Street from the park), residences along the north side, and residences/businesses along the east side and south side across Hancock Street. Surrounding land uses in the neighborhood are mixed, with residential, commercial, industrial, and institutional uses.

The proposed conversion area (0.054 acres) is a thin margin of land along the southerly boundary of Ruth Elizabeth Park abutting Hickory Street. The area consists of a linear corridor approximately 6 feet wide along the frontage on Hickory Street. The area subject to the conversion currently consists of the park fenceline and woody growth along the fence, as well as lawn areas bordering the fenceline. Besides the chain link fence and lawn area bordering it, there are no structures, resources, or park amenities within the land area proposed to be converted.

5.868 acres of the 6(f) park area would remain as 6(f) land after the conversion. As compensation, three abutting parcels near the corner of Hickory and Walnut Streets would become part of Ruth Elizabeth Park, adding approximately 0.802 acres, as described in Item 6 below that addresses the replacement park area. Refer to Exhibit C entitled "Acquisition Locus Plan", prepared by GZA, dated April 2015.

- c. Description of the community and population served by the park, including users of the park and uses.

Six Corners is the smallest of Springfield's neighborhoods and contains 247 acres of land. Six Corners is a racially diverse area with a median income of \$17,000 and at least 30% of its population is under the age of 18.

- d. For partial conversions, a revised 6(f) map clearly indicating both the portion that is being converted and the portion remaining intact under Section 6(f).

See Plan attached as Exhibit D entitled "Plan of Proposed Conversion and Acquisition – Ruth Elizabeth Park", prepared by GZA, dated April 2015, which depicts the areas being converted, the area to remain intact, and the three acquisition parcels.

6. For each proposed replacement site:

- a. Specific geographic location on a map, 9-digit zip code, and geographical relationship of converted and replacement sites. If site will be added to an existing public park/outdoor recreation area, indicate on map.

The proposed replacement park land that will be added to Ruth Elizabeth Park consists of three parcels that immediately abut the existing Ruth Elizabeth Park at the boundary of the Six Corners and Old Hill neighborhoods in Springfield, as shown in Exhibit C entitled "Acquisition Locus Plan" and Exhibit D entitled "Plan of Proposed Conversion and Acquisition – Ruth Elizabeth Park", prepared by GZA, dated April 2015. The replacement parkland is located at Latitude 42° 5.89'N and Longitude 72° 33.87'W. The 9 digit zip code for the replacement parcels is 01105-1607.

Acquisition Parcel A abuts Walnut Street and will be converted in its entirety (0.381 acres) to become part of Ruth Elizabeth Park. Acquisition Parcel B abuts Hickory and Walnut Streets and will also be converted in its entirety to parkland (0.232 acres). Acquisition Parcel C abuts Hickory Street and is 0.191 acres. Of this land, approximately 88 SF will be taken for the Hickory Street roadway improvements and the remaining 0.189 acres will become part of Ruth Elizabeth Park. The total land to be added to Ruth Elizabeth Park as replacement land will be approximately 0.802 acres. This will result in a net gain of parkland of 0.748 acres, creating a revised 6(f) boundary for Ruth Elizabeth Park of 6.669 acres.

- b. Description of the site's physical characteristics and resource attributes with number and types of resources and features on the site, for example, 15 acres wetland, 2,000 feet beachfront, 50 acres forest, scenic views, 75 acres riparian, vacant lot, special habitat, any unique or special features, structures, recreation amenities, historic/cultural resources, hazardous materials/contamination history, restrictions, institutional controls, easements, rights-of-way, overhead/underground utilities including overhead wires, towers, etc.

Parcel A is currently wooded near its shared boundary with the park and has a grassed area along Walnut Street. Parcel B is currently a commercial property with a structure and paved parking areas, with wooded areas along its western boundary. Parcel C is currently a multi-unit residential property with paved parking areas and limited grassed/landscaped areas.

- c. Identification of the owner of the replacement site, and its recent history of use/function up to the present.

Parcel A is currently owned by the city of Springfield and is undeveloped. Parcel B is currently owned by AJI Sales Corporation and is currently being used as a poultry store. Parcel C is currently owned by Wesley H James Sr. and Eulah Marie James, and is a multi-family residential property. Parcels A and B are zoned Business B and Parcel C is zoned Business A.

- d. Detailed explanation of how the proposed replacement site is of reasonably equivalent usefulness and location as the property being converted, including a description of the recreation needs that will be met by the new replacement parks, populations to be served, and new outdoor recreation resources, facilities, and opportunities to be provided.

The proposed replacement park area will be utilized for public parking to provide improved access to the park, new walking trails providing connectivity to the existing soccer field and other park amenities in the current park, a new park entrance with signage at the corner of Hickory and Walnut Streets, a new brick paver patio with picnic area, lawn areas, an exposed bedrock feature, and standard amenities (benches, trash receptacles, new park trees, and landscaped plant beds). Refer to Exhibit F "Replacement Park Concept – Ruth Elizabeth Park" that depicts a concept of the proposed improvements and amenities of the replacement park land to be added to Ruth Elizabeth Park.

- e. Identification of owner and manager of the new replacement park?

Ruth Elizabeth Park will be owned/managed by:

**City of Springfield Dept. of Parks, Buildings, and Recreation Management
200 Trafton Road
Springfield, MA 01108
Attn: Patrick Sullivan, Executive Director**

City of Springfield

Memo

To: Anthony Wilson
From: Kateri Walsh, Chairperson
CC:
Date: April 5, 2016
Re: Maintenance & Development Committee

NOTICE OF MEETING

The Maintenance & Development Committee of the City Council will meet on Friday, April 1, 2016 at 3:00 P.M. in Room 200 of City Hall. Your attendance is necessary to help expedite this matter. All interested parties are invited to attend. Thank you.

AGENDA

1. Discussion of: Order approving a special act authorizing the City of Springfield to convert park land at Ruth Elizabeth Park for traffic improvement use pursuant to ARTICLE 97 and to acquire and dedicate replacement park land.
2. All other business brought properly before this Committee.

Karla Bourassa
Administrative Aide