



CITY COUNCIL

City Clerk's Office 1/18/2023 12:00:00 PM

Hearings Meeting Agenda~

I hereby notify you that the following items of business have been filed with this office and can be acted upon at the meeting of the City Council **Monday January 23, 2023** at 07:00 PM.

City Clerk

Hearings

7:00 PM Meeting called to order on January 23, 2023 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Moment of Silence - Pledge of Allegiance

Orders

- (1.) Order Authorizing Contract Term Over 3 Years for Municipal Aggregation Services Agreement (Mayor Sarno)
- (2.) Appropriation Order for Taking Damages for St. James Avenue at Carew Street Intersection Improvement (Mayor Sarno)
- (3.) Order of Taking of Land and Easements for St. James Avenue at Carew Street Intersection Improvement (Mayor Sarno)

Special Permits

- (4.) For a Special Permit for an Accessory Wall Sign(S), Above the First Floor, at the Properties Known as ES Martone Place (08325-0001)(Book#23837/Page#362), ES 0 Martone Place (08325-0006)(Book#L107/Page#L059) and 70 Martone Place (08325-0007)(Book#L106/Page#0096), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Request: See Above
Owner: St James Place Properties, LLC
By: Bryan Kaye
Petitioner: St James Place Properties, LLC
By: Bryan Kaye

ATTACHMENTS:

- Martone_PI_ES_Tax_Formal (PDF)
- Martone_PI_ES_2022 (PDF)

- (5.) For a Special Permit for Motor Vehicle Sales at the Properties Known as 971 East Columbus Avenue (04303-0548) (Book#24447/Page#384) and ES East Columbus Avenue (04303-0545) (Book#24447/Page#384), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Request: See Above
Owner: Pena Lopez Auto Repair, LLC

By: Yahaira C Lopez
Petitioner: Pena Lopez Auto Repair, LLC
By: Yahaira C Lopez

ATTACHMENTS:

- E_Columbus_Ave_971_Tax_Formal (PDF)
- E_Columbus_Ave_971_2023 (PDF)

- (6.) For a Special Permit to Install Eight (8) Foot High Fencing, at the Property Known as 1015 Wilbraham Road (Duggan Middle School)(11282-0789)(Book#1477/Page#541), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 7, Section 7.4.21.

Request: See Above
Owner: City of Springfield/Department of Capital Asset
By: Peter Garvey, Director
Petitioner: City of Springfield/Department of Capital Assets
By: Peter Garvey, Director

ATTACHMENTS:

- Wilbraham_Rd_1015_Formal (PDF)
- Wilbraham_Rd_1015_2023 (PDF)

Zoning Changes

- (7.) Amendment Article 4, Section 4.7.114(B)(4)(Adult Use) Amendment Article 4, Section 4.7.114(B)(4)(Adult Use) None Yet

PETITIONER: PS Springfield, LLC

ADDRESS: City Wide

CHANGE REQUESTED: Amendment to Article 4, Section 4.7.114(B)(4)

ATTACHMENTS:

- 3235_Formal_Application (PDF)
- 3235_Article_4_Amendment_Dec_2022 (PDF)
- Proposal to Amend Zoning Ordinance (PDF)
- 3235_Adult_Use_Article_4_2022_PB_Report (PDF)



City Council

SCHEDULED

Meeting: 01/23/23 07:00 PM
Initiator: Lindsay B. Hackett
Sponsors: Mayor Domenic J. Sarno
DOC ID: 7198

1

Order Authorizing Contract Term Over 3 Years for Municipal Aggregation Services Agreement (Mayor Sarno)

Order Authorizing a Contract Term Over 3 Years for Municipal Aggregation Services Agreement

WHEREAS, Massachusetts General Laws chapter 30B, section 12(b) provides that the Chief Procurement Officer may not award a contract term of more than three (3) years without a majority vote of the governmental body; and

WHEREAS, City is seeking to become a "Municipal Aggregator" which provides electric power services for the City's residential and non-residential customers within the City's geographic boundaries; and

WHEREAS, the City of Springfield is issuing a Request for Proposals (RFP) to engage a Service Provider to perform professional consulting services for City focusing primarily on the creation, authorization, implementation and management of its municipal aggregation plan (the "Program"), as defined by, and in compliance with, all applicable provisions of Section 134 of Chapter 164(a) of the General Laws of Massachusetts, as amended, and other applicable statutes, regulations and precedent; and

WHEREAS, the City requesting authority to award a contract with a term of more than three (3) years for the Project; and

NOW THEREFORE BE IT ORDERED, pursuant to Mass. Gen. Laws ch. 30B, section 12(b), the City Council hereby authorizes the City to include these contract terms up to five (5) in the RFP, and for the City to award a contract including such terms.



City Council

TABLED

Meeting: 01/23/23 07:00 PM
Initiator: Robert Shewchuk
Sponsors: Mayor Domenic J. Sarno
DOC ID: 7187

2

Appropriation Order for Taking Damages for St. James Avenue at Carew Street Intersection Improvement (Mayor Sarno)

WHEREAS, the Department of Public Works has requested that the Springfield City Council approve an Order of Taking authorizing the eminent domain takings of: thirteen (13) permanent partial takings; forty-nine (49) temporary easements; and eight (8) permanent easements over portions of properties located on St. James Avenue, St. James Boulevard Carew Street and Fordham Street, in Springfield, MA, as more particularly described on the spreadsheet attached hereto as Exhibit A, and in the *Order of Taking* which has been filed with the City Council; and

WHEREAS, such takings are necessary to obtain all "rights of way" necessary for the "**St. James Avenue at Carew Street Intersection Improvement Project**" ("Project") to be constructed and undertaken by the City of Springfield Department of Public Works, and for ongoing maintenance of the improvements following construction; and

WHEREAS, the City obtained appraisals of the value of the property rights and easements and requests the City Council to appropriate the funds necessary to compensate the property owners for the eminent domain takings of the property rights and easements; and

WHEREAS, the Department of Public Works will use Chapter 90 Funded Project funds for the purpose of paying the awards of damages to the property owners; and

WHEREAS, the Chief Administrative and Financial Officer has certified to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the appropriation of funds described herein for purposes of compensating property owners for the proposed eminent domain takings as described in the Order of Taking, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008;

IT IS ORDERED, that pursuant to its authority under Mass. Gen. Laws Chapter 43, Section 30, Mass. Gen. Laws Chapter 79, Mass. Gen. Laws Chapter 44, Section 32, and Chapter 468 of the Acts of 2008, the City Council hereby appropriates the sum of **Two Hundred Seventy One Thousand Nine Hundred and 00/100 Dollars (\$271,900.00)** for the payment of damages for the anticipated taking of thirteen (13) permanent partial takings; forty-nine (49) temporary easements; and eight (8) permanent easements over parcels of land located on St. James Avenue, St. James

Boulevard Carew Street and Fordham Street in Springfield, MA, as described in Exhibit A and the Order of Taking, to obtain the access rights needed for the roadway and traffic improvements to be constructed and maintained, to be paid from the following account:

Account #: 23294000-576400-32920
Chapter 90 Funded Project - \$271,900



City Council

TABLED

Meeting: 01/23/23 07:00 PM
Initiator: Robert Shewchuk
Sponsors: Mayor Domenic J. Sarno
DOC ID: 7188 A

3

Order of Taking of Land and Easements for St. James Avenue at Carew Street Intersection Improvement (Mayor Sarno)

IT IS ORDERED THAT the City Council, acting pursuant to Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, upon the request of the Department of Public Works, does hereby take by eminent domain in the name and on behalf of the said City of Springfield, Thirteen (13) Permanent Partial Takings (Parcel 1 - Parcel 3; Parcel 6, Parcel 9 - Parcel 11, Parcel 14 - Parcel 15; and Parcels 18 - Parcel 20); Forty-Nine (49) Temporary Easements (TE-1 - TE-10; TE-12 - TE-14; TE-16 - TE-36; TE-39 - TE-44; TE-46 - TE-48; TE-51 - TE-52; TE-53 - TE-54; and TE-56 - TE-57); and Eight (8) Permanent Easements (E-1 - E-4, and HS-2 - HS-5) in the City of Springfield, for purposes of obtaining the necessary land, access and rights of way for the construction and maintenance of roadway and related improvements for the " *St. James Avenue at Carew Street Intersection Improvement Project* " ("Project"), including road and sidewalk construction and improvements, grading, driveway grading and paving, drainage, paved drainage waterway, and related improvements. The affected parcels are located on St. James Avenue, St. James Boulevard, Carew Street, and Fordham Street, in Springfield, MA.

An appropriation of money has been duly made for this purpose by an Order approved by the City Council on this date.

Such permanent partial takings, temporary easements, and permanent easements are taken together with all rights therein, both legal and equitable, including all privileges, appurtenances, restrictions, conditions, and all estates and rights of reverter, together with all trees upon said land and improvements, but excluding commercial signs, affixed to said land, excepting easements, rights, and interests specifically reserved herein.

The Permanent Partial Takings described in this Order are shown on a set of Plans entitled "*St. James Avenue at Carew Street In the City of Springfield, Hampden County, Preliminary Right of Way Plans*", dated November 23, 2022 by Greenman-Pederson, Inc. on file with the Hampden County Registry of Deeds at Book of Plans _____, Pages _____ ("Plans"), and the temporary construction easements are shown on the Plans of the same name on file with the Engineering Department of the City of Springfield Department of Public Works, 70 Tapley Street, Springfield, MA.

The property rights to be taken are described below:

SECTION I - PERMANENT PARTIAL TAKINGS:

The City is taking permanent partial rights in the properties described below, for purposes of obtaining the necessary land, access and rights of way for the construction and maintenance of roadway and related improvements for Project, including road and sidewalk construction and improvements, grading, driveway grading and paving, drainage, paved

drainage waterway, and related improvements as described in the Plans. Although said parcels are described as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

Parcel 1: 1118-1122 St. James Avenue

A parcel of land owned by Springfield Housing Authority, located southwest of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue, being the beginning of Section 1 of the 2023 Alteration of St. James Avenue, said point being S59°04'51"W a distance of 33.00 feet from STA 13+44.22 of the St. James Avenue baseline, and being hereinafter described: thence along said alteration line S24°30'19"E, a distance of about 4 feet to a point on the property line dividing land of Springfield Housing Authority and land of Rayonia & Patel, LLC; thence northeasterly along said property line a distance of about one foot to a point again on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along St. James Avenue sideline a distance of about 4 feet to the point of beginning.

The above described parcel of land contains an area of about 1 square foot, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 2: 1116 St James Avenue

A parcel of land owned by Rayonia & Patel, LLC, located southwest of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on Section 1 of the 2023 Alteration of St. James Avenue, said point being S59°04'51"W a distance of 36.00 feet from STA 13+70.90 of the St. James Avenue baseline, and being hereinafter described: thence along said alteration line S30°55'09"E, a distance of 35.52 feet; thence by a curve to the right of 2,862.00 feet radius a distance of about 67 feet to a point on the property line dividing land of Rayonia & Patel, LLC and land of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust; thence northeasterly along said property line a distance of about 3 feet to a point again on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along said southwesterly City sideline by two courses: by a curve to the left a distance of about 66 feet and thence a distance of about 58 feet (respectively), to a point on the property line dividing land of Rayonia & Patel, LLC and land of Springfield Housing Authority; thence southwesterly along said property line a distance of about one foot to a point on Section 1 of the 2023 City Layout Alteration of St. James Avenue; thence along said alteration line S24°30'19"E, a distance of about 23 feet to the point of beginning.

The above described parcel of land contains an area of about 342 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 3: 1100 St. James Avenue

A parcel of land owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, located southwest of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the location line of Section 1 of the 2023 City Alteration of St. James Avenue, said point being S62°08'36"W a distance of 36.00 feet from STA 16+46.14 of the St. James Avenue baseline, and being hereinafter described: thence along said alteration line S62°08'36"W, a distance of 3.00 feet; thence S27°51'24"E, a distance of about 101 feet to a point on the property line dividing land of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust and land of City of Springfield (City Council); thence northeasterly along said property line a distance of about 6 feet to a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along said sideline by two courses: a distance of about 184 feet and by a curve to the left a distance of about 87 feet, respectively, to a point on the property line dividing land of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust and land of Rayonia & Patel, LLC.; thence southwesterly along said property line a distance of about 3 feet to a point again on the location line of Section 1 of the 2023 City Alteration of St. James Avenue; thence along said alteration line southeasterly by a curve to the right of radius 2,862.00 a distance of about 86 feet; thence S27°51'24"E, a distance of 84.82 feet to the point of beginning.

The above described parcel of land contains an area of about 1,112 square feet, .03 acre in the City of Springfield, Massachusetts.

Parcel 5: 1070 St. James Avenue

A parcel of land owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, located southwest of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue and the property line dividing two lands of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, said point being S62°08'36"W a distance of 33.00 feet from STA 19+50.74 of the St. James Avenue baseline, and being hereinafter described: thence southwesterly along said property line a distance of about 3 feet to a point on the location line of Section 1 of the 2023 City Alteration of St. James Avenue; thence along said alteration line N27°51'24"W along said alteration a distance of about 154 feet to a point on the property line dividing land of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, and land of City of Springfield (City Council); thence northeasterly along said property line a distance of about 3 feet to a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence following said sideline southeasterly a distance of about 154 feet to the point of beginning.

The above described parcel of land contains an area of about 462 square feet, .01 acre in the City of Springfield, Massachusetts.

Parcel 6: St. James Avenue

A parcel of land owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, located southwest of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue and the property line dividing two lands of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, said point being S62°08'36"W a distance of 33.00 feet from STA 19+50.74 of the St. James Avenue baseline, and being hereinafter described: thence southwesterly along said property line a distance of about 3 feet to a point on the location line of Section 1 of the 2023 City Alteration of St. James Avenue; thence S27°51'24"E along said alteration line a distance of about 149 feet to a point on the property line dividing two lands of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust; thence northeasterly along said property line a distance of about 3 feet to a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence following St. James Avenue sideline northwesterly a distance of about 150 feet to the point of beginning.

The above described parcel of land contains an area of about 449 square feet, .01 acre in the City of Springfield, Massachusetts.

Parcel 9: 1343 Carew Street

A parcel of land owned by Vasilios Bourdakakis and Harriet Bourdakakis, located southwest of St. James Avenue, east of Carew Street in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the easterly sideline of the 1921 City Layout of Carew Street and the beginning of the location line of Section 4 of the 2023 City Alteration of St. James Avenue, said point being S70°17'41"E a distance of 33.00 feet from STA 109+97.03 of the Carew Street baseline, and being hereinafter described: thence, N87°30'41"E along said alteration line a distance of 7.23 feet; thence, S27°51'24"E a distance of about 138 feet to a point on the property line dividing land of Vasilios Bourdakakis and Harriet Bourdakakis and land of Holyoke Retail, LLC; thence northeasterly along said property line a distance of about 3 feet to a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence following said sideline northwesterly a distance of about 150 feet to a point on the 1921 City Layout of Carew Street; thence southerly along the Carew Street sideline a distance of about 13 feet to the point of beginning.

The above described parcel of land contains an area of about 476 square feet, 0.01acre in the City of Springfield, Massachusetts.

Parcel 10: 1019 St. James Avenue

A parcel of land owned by T&W Realty Associates, LLC, located northeast of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the northeasterly sideline of the 1903 City Layout of Carew Street and the beginning of the location line of Section 3 of the 2023 Alteration of Carew Street, said point being N62°08'36"E a distance of 45.31 feet from STA 23+11.57 of the St. James Avenue baseline, and being hereinafter described: thence, S7°26'55"W along said alteration line a distance of 21.30 feet to a point on the northeasterly sideline of the 1898 City Layout of St. James Avenue; thence following said St. James Avenue sideline northwesterly a distance of about 5 feet to a point on the sideline of the 1903 City Layout of Carew Street; thence northeasterly along Carew Street sideline a distance of about 17 feet to the point of beginning.

The above described parcel of land contains an area of about 32 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 11: 56 St. James Boulevard

A parcel of land owned by Holyoke Retail, LLC, located southwest of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue and on the property line dividing land of Holyoke Retail, LLC and land of Vasilios Bourdakos and Harriet Bourdakos, said point being S62°08'36"W a distance of 33.00 feet from STA 25+37.11 of the St. James Avenue baseline, and being hereinafter described: thence southwesterly along said property line a distance of about 3 feet to a point on the location line of Section 3 of the 2023 City Alteration of St. James Avenue; thence following said alteration line S27°51'24"E a distance of about 62 feet to a point on the property line dividing two lands of Holyoke Retail, LLC; thence northeasterly along said property line a distance of about 3 feet to a point again on southwesterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along St. James Avenue sideline a distance of about 62 feet to the point of beginning.

The above described parcel of land contains an area of about 185 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 14: 970 St James Avenue

A parcel of land owned by SCP 2001A-CSF-27 LLC, located southeast of St. James Boulevard, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southeasterly sideline of the 1921 City Layout of St. James Boulevard, and at the beginning of the location line of Section 8 of the 2023 City Alteration of St. James Boulevard, said point being S34°08'44"E a distance of 35.00 feet from STA 208+04.51

of the St. James Boulevard baseline, and being hereinafter described: thence southwesterly along said alteration line by a curve to the left of 965.00 feet radius a distance of 96.64 feet to a point on the southeasterly sideline of the 1921 City Layout of St. James Boulevard; thence northeasterly along the St. James Boulevard sideline by two courses: a distance of about 48 feet and a distance of about 48 feet, respectively, to the point of beginning.

The above described parcel of land contains an area of about 39 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 15: 970 St. James Avenue

A parcel of land owned by SCP 2001A-CSF-27 LLC, located southwest of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southeasterly sideline of the 1921 City Layout of St. James Boulevard, and the beginning of the location line of Section 7 of the 2023 City Alteration of St. James Avenue, said point being S34°08'44"E a distance of 35.00 feet from STA 207+53.51 of the St. James Boulevard baseline, and being hereinafter described: thence N85°35'58"E along said alteration line a distance of 6.63 feet; thence by a curve to the left of 13.00 feet radius a distance of 6.75 feet; thence N55°51'16"E a distance of 10.36 feet; thence by a curve to the right of 17.00 feet radius a distance of 20.30 feet; thence by another curve to the right of 97.00 feet radius a distance of 43.29 feet; thence S30°08'50"E a distance of 63.97 feet; thence S27°51'24"E a distance of about 206 feet to a point on the property line dividing land of SCP 2001A-CSF-27 LLC and land of Ricardo Colon and Evelyn Colon; thence northeasterly along said property line a distance of about 3 feet to a point on southwesterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along St. James Avenue sideline a distance of about 330 feet to a point again on the southeasterly sideline of the 1921 City layout of St. James Boulevard; thence southwesterly along St. James Boulevard sideline about 57 feet to the point of beginning.

The above described parcel of land contains an area of about 1,796 square feet, .04 acre in the City of Springfield, Massachusetts.

Parcel 18: 942 St. James Avenue

A parcel of land owned by Ricardo Colon and Evelyn Colon, located southwest of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the location line of Section 7 of the 2023 City Alteration of St. James Avenue and on the property line dividing land of Ricardo Colon and Evelyn Colon and land of Concepcion Cruzado, said point being S62°08'36"W a distance of 36.00 feet from STA 31+51.16 of the St. James Avenue baseline, and being hereinafter described: thence along said alteration line N27°51'24"W a distance of about 53 feet to a point on the property line dividing land of

Ricardo Colon and Evelyn Colon and land of SCP 2001A-CSF-27 LLC; thence northeasterly along said property line a distance of about 3 feet to a point on southwesterly sideline of the 1898 City Layout of St. James Avenue; thence southeasterly along St. James Avenue sideline a distance of about 53 feet to a point on the property line dividing land of Ricardo Colon and Evelyn Colon and land of Concepcion Cruzado; thence southwesterly along said property line a distance of about 3 feet to the point of beginning.

The above described parcel of land contains an area of about 159 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 19: 938 St. James Avenue

A parcel of land owned by Concepcion Cruzado, located southwest of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the location line of Section 7 of the 2023 City Alteration of St. James Avenue and on the property line dividing land of Concepcion Cruzado and land of Ricardo Colon and Evelyn Colon, said point being S62°08'36"W a distance of 36.00 feet from STA 31+51.04 of the St. James Avenue baseline, and being hereinafter described: thence along said alteration line, S27°51'24"E a distance of about 38 feet; thence S31°51'24"E a distance of about 8 feet to a point on the property line dividing land of Concepcion Cruzado and land of Heather J. Michaud and Michael D. Michaud; thence northeasterly along said property line a distance of about 2 feet to a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along St. James Avenue sideline a distance of about 53 feet to a point on the property line dividing land of Concepcion Cruzado and land of Ricardo Colon and Evelyn Colon; thence southwesterly along said property line a distance of about 3 feet to the point of beginning.

The above described parcel of land contains an area of about 151 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel 20: St. James Avenue

A parcel of land owned by Heather J. Michaud and Michael D. Michaud, located southwest of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at the ending point of the location line of Section 7 of the 2023 City Alteration of St. James Avenue and on the southwesterly sideline of the 1898 City Layout of St. James Avenue, said point being S62°08'36"W a distance of 33.00 feet from STA 32+31.69 of the St. James Avenue baseline, and being hereinafter described: thence northwesterly along the said sideline a distance of about 26 feet to a point on the property line dividing land of Heather J. Michaud and Michael D. Michaud and land of Concepcion Cruzado; thence southwesterly along said property line a distance of about 2 feet to a point on the location line of Section 7 of the 2023 City Alteration of St. James Avenue; thence S31°51'24"E along said alteration line a distance of about 27 feet to the point of beginning.

The above described parcel of land contains an area of about 25 square feet, less than .01 acre in the City of Springfield, Massachusetts.

SECTION II - TEMPORARY CONSTRUCTION EASEMENTS:

The City is taking the following temporary construction easements for purposes of obtaining the necessary land, access and rights of way for the construction and maintenance of roadway and related improvements for Project, including road and sidewalk construction and improvements, grading, driveway grading and paving, drainage, paved drainage waterway, and related improvements as described in the Plans. *Such temporary construction easements are temporary in nature and are to be in effect from five (5) years from date of recording of this instrument, or until the construction of the Project is completed, whichever occurs first.*

Although said parcels are described as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

That said temporary construction easements (“TE”) are taken over the parcels of land which are described below and are shown on the aforementioned Plans:

Parcel TE-1: A parcel of land located at 1130 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Springfield Housing Authority, consisting of approximately 878 square feet, 0.02 acre, from approximately Station 12+68 to Station 13+48 on the St. James Avenue Baseline, and shown as TE-1 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-2: A parcel of land located at 1116 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Rayonia & Patel, LLC, consisting of approximately 1,434 square feet, 0.03 acre, from approximately Station 13+48 to Station 14+73 on the St. James Avenue Baseline, and shown as TE-2 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-3: A parcel of land located at 1129 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Edward Hernandez, consisting of approximately 19 square feet, less than .01 acre, from approximately Station 12+65 to Station 13+01 on the St. James Avenue Baseline, and shown as TE-3 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-4: A parcel of land located at 1123 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by The Bank of New York Mellon Trust Company, National Association, consisting of approximately 197 square feet, less than .01 acre, from

approximately Station 13+01 to Station 13+51 on the St. James Avenue Baseline, and shown as TE-4 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-5: A parcel of land located at 1119 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Gladys Hernandez and Jose A. Hernandez, consisting of approximately 424 square feet, less than .01 acre, from approximately Station 13+51 to Station 14+01 on the St. James Avenue Baseline, and shown as TE-5 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-6: A parcel of land located at 1113 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Todd S. Melbourne and Tracey L. Melbourne, consisting of approximately 250 square feet, less than .01 acre, from approximately Station 14+01 to Station 14+51 on the St. James Avenue Baseline, and shown as TE-6 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-7: A parcel of land located at 1103 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Moses Gonzalez, consisting of approximately 399 square feet, less than .01 acre, from approximately Station 15+00 to Station 15+50 on the St. James Avenue Baseline, and shown as TE-7 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-8: A parcel of land located at 1103 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Moses Gonzalez, consisting of approximately 57 square feet, less than .01 acre, from approximately Station 15+50 to Station 15+75 on the St. James Avenue Baseline, and shown as TE-8 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-9: A parcel of land located at 1093 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Maritza Rodriguez, consisting of approximately 53 square feet, less than .01 acre, from approximately Station 15+75 to Station 16+00 on the St. James Avenue Baseline, and shown as TE-9 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-10: A parcel of land located at 1093 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Maritza Rodriguez, consisting of approximately 147 square feet, less than .01 acre, from approximately Station 16+00 to Station 16+57 on the St. James Avenue Baseline, and shown as TE-10 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-12: A parcel of land located at 1069 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by United Co-Operative Bank, consisting of approximately 587 square feet, 0.01 acre, from approximately Station 17+66 to Station 18+66 on the St. James Avenue Baseline, and shown as TE-12 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-13: A parcel of land located at 1051 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Peoplesbank, consisting of approximately 1,296 square feet, 0.03 acres, from approximately Station 18+66 to Station 20+16 on the St. James Avenue Baseline, and shown as TE-13 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-14: A parcel of land located at 1100 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, consisting of approximately 31,492 square feet, 0.72 acre, from approximately Station 14+73 to Station 17+43 on the St. James Avenue Baseline, and shown as TE-14 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-16: A parcel of land located at 1070 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, consisting of approximately 1,567 square feet, 0.04 acre, from approximately Station 17+97 to Station 19+51 on the St. James Avenue Baseline, and shown as TE-16 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-17: A parcel of land located at St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, consisting of approximately 1,564 square feet, 0.04 acre, from approximately Station 19+51 to Station 20+01 on the St. James Avenue Baseline, and shown as TE-17 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-18: A parcel of land located at 1316 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, consisting of approximately 7,309 square feet, 0.17 acre, from approximately Station 20+01 to Station 113+55 on the Carew Street Baseline, and shown as TE-18 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-19: A parcel of land located at 1343 Carew Street in the City of Springfield, in Hampden County, Massachusetts, owned by Vasilios Bourdakakis and Harriet Bourdakakis, consisting of approximately 2,581 square feet, 0.06 acre, from approximately Station 23+96 to Station 25+37 on the St. James Avenue Baseline, and shown as TE-19 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-20: A parcel of land located at 1037 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Kayrouz Realty, LLC, consisting of approximately 903 square feet, 0.02 acres, from approximately Station 20+16 to Station 21+57 on the St. James Avenue Baseline, and shown as TE-20 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-21: A parcel of land located at 1037 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Kayrouz Realty, LLC, consisting of approximately 1,292 square feet, 0.03 acre, from approximately Station 106+14 to Station 107+60 on the Carew

Street Baseline, and shown as TE-21 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-22: A parcel of land located at 1051 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Peoplesbank, consisting of approximately 1,142 square feet, 0.03 acre, from approximately Station 105+14 to Station 106+14 on the Carew Street Baseline, and shown as TE-22 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-23: A parcel of land located at 1387 Carew Street in the City of Springfield, in Hampden County, Massachusetts, owned by Michael J. O'Connor and Dina M. O'Connor, consisting of approximately 1,113 square feet, 0.03 acre, from approximately Station 105+81 to Station 106+94 on the Carew Street Baseline, and shown as TE-23 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-24: A parcel of land located at 1375 Carew Street in the City of Springfield, in Hampden County, Massachusetts, owned by Knockout Properties, LLC, consisting of approximately 1,108 square feet, 0.03 acre, from approximately Station 107+46 to Station 108+64 on the Carew Street Baseline, and shown as TE-24 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-25: A parcel of land located at 1003 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by 50 Century LLC, consisting of approximately 777 square feet, 0.02 acre, from approximately Station 24+53 to Station 25+58 on the St. James Avenue Baseline, and shown as TE-25 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-26: A parcel of land located at 80 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Speedway, LLC, consisting of approximately 2,256 square feet, 0.05 acre, from approximately Station 25+58 on the St. James Avenue Baseline, to approximately Station 204+71 on the St. James Boulevard Baseline, and shown as TE-26 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-27: A parcel of land located at 30 Fordham Street in the City of Springfield, in Hampden County, Massachusetts, owned by Estate of Esther Rodriguez, consisting of approximately 1,165 square feet, 0.03 acre, from approximately Station 203+56 to Station 204+71 on the St. James Boulevard Baseline, and shown as TE-27 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-28: A parcel of land located at 95 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Barbara E. Carr and Donald J. Carr, consisting of approximately 458 square feet, 0.01 acre, from approximately Station 203+94 to Station 204+50 on the St. James Boulevard Baseline, and shown as TE-28 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-29: A parcel of land located at 89 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Lachenauer, LLC, consisting of approximately 570 square feet, 0.01 acre, from approximately Station 204+50 to Station 205+05 on the St. James Boulevard Baseline, and shown as TE-29 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-30: A parcel of land located at 977 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Len-Steve Realty, LLC, consisting of approximately 1,326 square feet, 0.03 acre, from approximately Station 27+55 to Station 29+10 on the St. James Avenue Baseline, and shown as TE-30 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-31: A parcel of land located at 961 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Fresh Anointing Ministries Church of God in Christ, Inc., consisting of approximately 997 square feet, 0.02 acre, from approximately Station 29+10 to Station 30+22 on the St. James Avenue Baseline, and shown as TE-31 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-32: A parcel of land located at 945 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Cherrelle C. Hyde and Chaquita C. Ogbunize, consisting of approximately 627 square feet, 0.01 acre, from approximately Station 30+69 to Station 31+23 on the St. James Avenue Baseline, and shown as TE-32 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-33: A parcel of land located at 56 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Holyoke Retail, LLC, consisting of approximately 593 square feet, 0.01 acre, from approximately Station 25+37 to Station 25+99 on the St. James Avenue Baseline, and shown as TE-33 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-34: A parcel of land located at 64 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Holyoke Retail, LLC, consisting of approximately 1,834 square feet, 0.04 acre, from approximately Station 25+99 on the St. James Avenue Baseline to Station 207+89 on the St. James Boulevard Baseline, and shown as TE-34 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-35: A parcel of land located at 56 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Holyoke Retail, LLC, consisting of approximately 510 square feet, 0.01 acre, from approximately Station 207+89 to Station 208+41 on the St. James Boulevard Baseline, and shown as TE-35 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-36: A parcel of land located at 970 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by SCP 2001A-CSF-27 LLC, consisting of approximately 5,825 square feet, 0.13 acre, from approximately Station 210+36 on the St. James Boulevard Baseline to Station 30+99 on the St. James Avenue Baseline, and shown as

TE-36 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-39: A parcel of land located at 942 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Ricardo Colon and Evelyn Colon, consisting of approximately 509 square feet, 0.01 acre, from approximately Station 30+99 to Station 31+52 on the St. James Avenue Baseline, and shown as TE-39 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-40: A parcel of land located at 938 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Concepcion Cruzado, consisting of approximately 434 square feet, less than 0.01 acre, from approximately Station 31+52 to Station 32+05 on the St. James Avenue Baseline, and shown as TE-40 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-41: A parcel of land located at 932 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Heather J. Michaud and Michael D. Michaud, consisting of approximately 450 square feet, 0.01 acre, from approximately Station 32+05 to Station 32+58 on the St. James Avenue Baseline, and shown as TE-41 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-42: A parcel of land located at 922 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Lisa Fotiathis and Thomas Fotiathis, consisting of approximately 11 square feet, less than 0.01 acre, from approximately Station 33+08 to Station 33+39 on the St. James Avenue Baseline, and shown as TE-42 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-43: A parcel of land located at 935 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by Wilmarie Rodriguez, consisting of approximately 1,048 square feet, 0.02 acre, from approximately Station 31+23 to Station 32+29 on the St. James Avenue Baseline, and shown as TE-43 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-44: A parcel of land located at 931 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by John D. Koski, Marie A. Koski and Amy Koski, consisting of approximately 591 square feet, 0.01 acre, from approximately Station 32+29 to Station 32+86 on the St. James Avenue Baseline, and shown as TE-44 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-46: A parcel of land located at St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by United Co-Operative Bank, consisting of approximately 1,203 square feet, 0.03 acre, from approximately Station 104+14 to Station 105+14 on the Carew Street Baseline, and shown as TE-46 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-47: A parcel of land located at 1430 Carew Street in the City of Springfield, in Hampden County, Massachusetts, owned by Canaan Baptist Church of Christ, consisting of approximately 2,224 square feet, 0.05 acre, from approximately Station 102+01 to Station 104+14 on the Carew Street Baseline, and shown as TE-47 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-48: A parcel of land located at 1440 Carew Street in the City of Springfield, in Hampden County, Massachusetts, owned by Joao A. Dias and Julia E. Dias, consisting of approximately 48 square feet, less than 0.01 acre, from approximately Station 100+46 to Station 101+53 on the Carew Street Baseline, and shown as TE-48 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-51: A parcel of land located at 56 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Holyoke Retail, LLC, consisting of approximately 758 square feet, 0.02 acre, from approximately Station 111+32 to Station 111+94 on the Carew Street Baseline, and shown as TE-51 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-52: A parcel of land located at 40 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Holyoke Retail, LLC, consisting of approximately 2,120 square feet, 0.05 acre, from approximately Station 111+94 to Station 113+87 on the Carew Street Baseline, and shown as TE-52 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-53: A parcel of land located at 40 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Holyoke Retail, LLC, consisting of approximately 1,955 square feet, 0.04 acre, from approximately Station 208+41 to Station 210+43 on the St. James Boulevard Baseline, and shown as TE-53 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-54: A parcel of land located at 23-29 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Serem, Inc., consisting of approximately 48 square feet, less than 0.01 acre, from approximately Station 210+36 to Station 210+45 on the St. James Boulevard Baseline, and shown as TE-54 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-56: A parcel of land located at 109 St. James Boulevard in the City of Springfield, in Hampden County, Massachusetts, owned by Milagros Nunez and Mirella Cruz, consisting of approximately 51 square feet, less than 0.01 acre, from approximately Station 202+90 to Station 203+43 on the St. James Boulevard Baseline, and shown as TE-56 on the above-referenced Alteration plans on file with the DPW Engineering Division.

Parcel TE-57: A parcel of land located at 1019 St. James Avenue in the City of Springfield, in Hampden County, Massachusetts, owned by T&W Realty Associates, LLC, consisting of approximately 822 square feet, 0.02 acre, from approximately Station 23+03 to Station 24+03 on

the St. James Avenue Baseline, and shown as TE-57 on the above-referenced Alteration plans on file with the DPW Engineering Division.

SECTION III - PERMANENT EASEMENT:

The City is taking the following permanent easement for purposes of obtaining the necessary land, access and rights of way for the construction and maintenance of roadway and related improvements for Project, including road and sidewalk construction and improvements, grading, driveway grading and paving, drainage, paved drainage waterway, and related improvements as described in the Plans. Although said parcel is described as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

Parcel E-1: 1316-1360 Carew Street

A parcel of land owned by Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust, located southwest of St. James Avenue in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point at the ending of the location line of Section 1 of the 2023 City Alteration of St. James Avenue and on the sideline of the 1921 City layout of Carew Street, said point being N71°17'27"W a distance of 33.00 feet from STA 109+53.17 of the Carew Street baseline, and being hereinafter described: thence northwesterly along said alteration line by a curve to the left of 62.00 feet radius a distance of 50.39 feet; thence N27°51'24"W a distance of about 172 feet to a point on the property line dividing two lands of Charles L. D'Amour and Donald H. D'Amour, Trustees of The Big Y Trust; thence northeasterly along said property line a distance of about 3 feet to a point on the southwesterly sideline of the 1898 City Layout of St. James Avenue; thence following the St. James Avenue sideline southeasterly a distance of about 195 feet to a point on the 1921 City layout of Carew Street; thence southwesterly along the Carew Street sideline a distance of about 31 feet to the point of beginning.

The above described parcel of land contains an area of about 678 square feet, .02 acre in the City of Springfield, Massachusetts.

Parcel E-2: 64 St. James Boulevard

A parcel of land owned by Holyoke Retail, LLC, located southwest of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the sideline of the 1921 City layout of St. James Boulevard and at the ending of the location line of Section 4 of the 2023 City Alteration of St. James Avenue, said point being N34°08'44"W a distance of 35.00 feet from STA 207+18.27 of the St. James Boulevard baseline, and being hereinafter described: thence, northeasterly along the St. James Boulevard sideline a distance of about 29 feet to a point on the southwesterly sideline of the

1898 City Layout of St. James Avenue; thence northwesterly along said sideline a distance of about 100 feet to a point on the property line dividing two lands of Holyoke Retail, LLC; thence southwesterly along said property line a distance of about 3 feet to a point on the location line of Section 4 of the 2023 City Alteration; thence along said alteration line S27°51'24"E a distance of about 80 feet; thence by a curve to the right of 17.00 feet radius a distance of 24.84 feet; thence S55°51'16"W a distance of 5.21 feet; thence S18°17'09"W a distance of 8.20 feet to the point of beginning.

The above described parcel of land contains an area of about 465 square feet, .01 acre in the City of Springfield, Massachusetts.

Parcel E-3: 64 St. James Boulevard

A parcel of land owned by Holyoke Retail, LLC, located northwest of St. James Boulevard, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the northwesterly sideline of the 1921 City layout of St. James Boulevard and at the beginning of the location line of Section 5 of the 2023 City Alteration, said point being N34°08'44"W a distance of 35.00 feet from STA 207+41.30 of the St. James Boulevard baseline, and being hereinafter described: thence following said alteration line N34°08'44"W a distance of 7.00 feet; thence S55°51'16"W a distance of 13.00 feet; thence S34°08'44"E a distance of 7.00 feet to a point on the sideline of the 1921 City layout of St. James Boulevard; thence northeasterly along St. James Boulevard sideline a distance of about 13 feet to the point of beginning.

The above described parcel of land contains an area of about 91 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel E-4: 80 St. James Boulevard

A parcel of land owned by Speedway, LLC, located northeast of St. James Avenue, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point at the beginning of the location line of Section 6 of the 2023 City Alteration of St. James Avenue and on the northeasterly sideline of the 1898 City Layout of St. James Avenue, said point being N62°08'36"E a distance of 33.00 feet from STA 26+44.71 of the St. James Avenue baseline, and being hereinafter described: thence following said alteration line southeasterly by a curve to the left of 42.00 feet radius a distance of 70.58 feet to a point on the sideline of the 1911 City layout of St. James Boulevard; thence southwesterly along said sideline of St. James Boulevard about 47 feet to a point on the northeasterly sideline of the 1898 City Layout of St. James Avenue; thence northwesterly along the sideline of St. James Avenue a distance of about 47 feet to the point of beginning.

The above described parcel of land contains an area of about 487 square feet, .01 acre in the City of Springfield, Massachusetts.

Parcel HS-2: 970 St. James Avenue

A parcel of land owned by SCP 2001A-CSF-27 LLC, located southeast of St. James Boulevard, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the location line of Section 8 of the 2023 City Alteration of St. James Boulevard, said point being S36°19'43"E a distance of 36.15 feet from STA 208+65.54 of the St. James Boulevard baseline, and being hereinafter described: thence following said alteration line southeasterly by a curve to the left of radius 965.00 feet a distance of 4.00 feet; thence S37°48'33"E a distance of 2.00 feet; thence N52°11'27"E a distance of 4.00 feet; thence N37°48'33"W a distance of 2.00 feet TO the point of beginning.

The above described parcel of land contains an area of about 8 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel HS-3: 970 St. James Avenue

A parcel of land owned by SCP 2001A-CSF-27 LLC, located southeast of St. James Boulevard, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southeasterly sideline of the 1921 City Layout of St. James Boulevard; said point being S37°03'13"E a distance of 37.97 feet from STA 209+15.71 of the St. James Boulevard baseline, and being hereinafter described; thence S39°53'01"E a distance of 2.00 feet; thence S50°06'59"W a distance of 4.00 feet; thence N39°53'01"W a distance of 2.00 feet to a point again on the sideline of the 1921 City Layout of St. James Boulevard; thence northeasterly along St. James Boulevard sideline a distance of about 4 feet to the point of beginning.

The above described parcel of land contains an area of about 8 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel HS-4: 970 St. James Avenue

A parcel of land owned by SCP 2001A-CSF-27 LLC, located southeast of St. James Boulevard, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the southeasterly sideline of the 1921 City Layout of St. James Boulevard, said point being S37°03'13"E a distance of 39.93 feet from STA 209+55.54 of the St. James Boulevard baseline, and being hereinafter described: thence S39°53'01"E a distance of

2.00 feet; thence S50°06'59"W a distance of 4.00 feet; thence N39°53'01"W a distance of 2.00 feet to a point again on the sideline of the 1921 City Layout of St. James Boulevard; thence northeasterly along the St. James Boulevard sideline a distance of about 4 feet to the point of beginning.

The above described parcel of land contains an area of about 8 square feet, less than .01 acre in the City of Springfield, Massachusetts.

Parcel HS-5: 30 Fordham Street

A parcel of land owned by Estate of Esther Rodriguez, located northwest of St. James Boulevard, in the City of Springfield, in Hampden County, Massachusetts bounded and described as follows:

Beginning at a point on the northwesterly sideline of the 1911 City Layout of St. James Boulevard, said point being N34°08'44"W a distance of 35.00 feet from STA 204+21.20 of the St. James Boulevard baseline, and being hereinafter described: thence N34°08'44"W a distance of 4.00 feet; thence S55°51'16"W a distance of 4.00 feet; thence S34°08'44"E a distance of 4.00 feet to a point again on the sideline of the 1921 City Layout of St. James Boulevard; thence northeasterly along St. James Boulevard sideline a distance of about 4 feet to the point of beginning.

The above described parcel of land contains an area of about 16 square feet, less than .01 acre in the City of Springfield, Massachusetts.

AWARD OF DAMAGES

It is ORDERED that the City of Springfield makes the following awards for damages sustained by the owner/owners, and mortgagees of record and others as required by law, having an interest in the area or areas hereinbefore described in the taking of or injury to his/their/its property by reason of the taking of the permanent easement and temporary construction easements taken for the purposes of the Project described above, including any improvements, trees or shrubs:

Damages for Permanent Partial Takings:

Taking ID	Titleholder	Property Address	Parcel No.	Total Area	Affected Area	Award Amount
Parcel 1	Springfield Housing Authority	1118-1122 St. James	111700162	242344 S.F.	1 S.F.	\$25

		Avenue				
Parcel 2	Rayonia & Patel, LLC	1016 St. James Avenue	111700160	12,954 S. F.	342 S.F.	\$6,850
Parcel 3	Big Y Trust*	1100 St. James Avenue	11700158	201,539 S.F.	1,112 S.F.	\$10,575
Parcel 5	Big Y Trust*	1070 St. James Avenue	11700152	91,885 S.F.	462 S.F.	\$5,075
Parcel 6	Big Y Trust*	Parcel 148, W S St. James Avenue	11700148	17,041 S.F.	449 S.F.	\$8,975
Parcel 9	Vasilios and Harriet Bourdakos	1343 Carew Street	236000360	11,024 S.F.	476 S.F.	\$9,525
Parcel 10	T&W Realty Associates, LLC	1019 St. James Avenue	111700235	8,247 S.F.	32 S.F.	\$650
Parcel 11	Holyoke Retail, LLC C/O Bacon Wilson	56 & 64 St. James Boulevard	111720009	1,8381 S.F.	185 S.F.	\$3,325
Parcel 14	SCP2001A-CSF-27, LLC	970 St. James Avenue	11700140	82,600 S.F.	39 S.F.	\$3,325
Parcel 15	SCP2001A-CSF-27, LLC	970 St. James Avenue and Parcel 140, W S St. James Avenue	11700140 and 11700142	82,600 S.F. and	1,796 S.F.	\$22,550
Parcel 18	Ricardo and Evelyn Colon	942 St. James Avenue	111700139	5,171 S.F.	159 S.F.	\$1,650
Parcel 19	Conception Cruzado	938 St. James Avenue	111700138	4,990 S.F.	151 S.F.	\$2,100
Parcel 20	Debra Bartels, Heather Michaud and Michael Michaud	932 St. James Avenue	111700137	5,821	25 S.F.	\$2,050

Total Damages for Permanent Partial Takings- \$76,675

Damages for Temporary Easements

Taking ID	Titleholder	Property Address	Parcel No.	Total Area	Affected Area	Award Amount
TE-1	Springfield Housing Authority	1118-1122 St. James Avenue	111700162		878 S.F.	\$1,775
TE-2	Rayonia & Patel, LLC	1016 St. James Avenue	111700160		1,434 S.F.	\$4,300
TE-3	Edward Hernandez	1129 St. James Avenue	111700217		19 S.F.	\$25
TE-4	Sandra Cappas	1123 St. James Avenue	111700218		197 S.F.	\$200
TE-5	Gladys & Jose Hernandez	1119 St. James Avenue	111700219		424 S.F.	\$450
TE-6	Todd S. and Tracey L. Melbourne	1113 St. James Avenue	111700220		250 S.F.	\$275
TE-7	Moses Gonzalez	1103 St. James Avenue	111700221		399 S.F.	\$350
TE-8	Moses Gonzalez	ES St. James Avenue	111700222		57 S.F.	\$450
TE-9	Maritza Rodriguez	1093 St. James Avenue	111700225		53 S.F.	\$50
TE-10	Maritza Rodriguez	ES St. James Avenue	111700223		147 S.F.	\$150
TE-12	United Co-Operative Bank	1069 St. James Avenue	111700229		587 S.F.	\$1,415
TE-13	People's Bank	1051 St. James Avenue	111700230		1,296 S.F.	\$4,125
TE-14	Big Y Trust*	1100 St. James Avenue	11700158		31,492 S.F.	\$49,875
TE-16	Big Y Trust*	1070 St. James Avenue	11700152		1,567	\$2,575

					S.F.	
TE-17	Big Y Trust*	Parcel 148, W S St. James Avenue	11700148		1,564 S.F.	\$4,700
TE-18	Big Y Trust*	1316 Carew Street	236000220		7,309 S.F.	\$10,425
TE-19	Vasilios and Harriet Bourdakis	1343 Carew Street	236000360		2,581 S.F.	\$7,750
TE-20	Kayrouz Realty, LLC	1037 St. James Avenue	111700234		903 S.F.	\$2,700
TE-21	Kayrouz Realty, LLC	1037 St. James Avenue	111700234		1292 S.F.	\$3,975
TE-22	People's Bank	1051 St. James Avenue	111700230		1,142 S.F.	\$4,075
TE-23	Michael and Dina O'Connor	1387 Carew Street	236000356		1113 S.F.	\$4,850
TE-24	Knockout Properties, LLC	1375 Carew Street	236000357		1108 S.F.	\$3,325
TE-25	50 Century, LLC	1003 St. James Avenue	111700237		777 S.F.	\$2,100
TE-26	Hess Retail Stores, LLC	991 St. James Avenue	111700239		2,256 S.F.	\$6,775
TE-27	Juan Cruz and Esther Rodriguez	30 Fordham Street	052500006		1,165 S.F.	\$2,525
TE-28	Barbara and Donald Carr	95 St. James Boulevard	111720076		458 S.F.	\$1,200
TE-29	Lachenauer, LLC	89 St. James Boulevard	111720077		570 S.F.	\$1,450

TE-30	Len-Steve Realty	977 St. James Avenue	111700240		1,326 S.F.	\$3,975
TE-31	Fresh Anointing Ministries Church of God in Christ, Inc.	961 St. James Avenue	111700244		997 S.F.	\$1,200
TE-32	Cherrelle C. Hyde and Chaquita C. Ogbunzie	945 St. James Avenue	111700245		627 S.F.	\$650
TE-33	Holyoke Retail, LLC C/O Bacon Wilson	56 St. James Boulevard	111720008		593 S.F.	\$2,600
TE-34	Holyoke Retail, LLC C/O Bacon Wilson	64 St. James Boulevard	111720009		1,834 S.F.	\$4,950
TE-35	Holyoke Retail, LLC C/O Bacon Wilson	56 St. James Boulevard	111720008		510 S.F.	\$1,375
TE-36	SCP2001A-CSF-27, LLC	970 St. James Avenue /Parcel 140, WS St. James	11700140/11700142		5,825 S.F.	\$12,475
TE-39	Ricardo and Evelyn Colon	942 St. James Avenue	111700039		668 S.F.	\$2,175
TE-40	Conception Cruzado	938 St. James Avenue	111700138		585 S.F.	\$2,100
TE-41	Debra Bartels, Heather Michaud and	932 St. James Avenue	111700137		450 S.F.	\$475

	Michael Michaud					
TE-42	Lisa and Thomas Fothiathis	922 St. James Avenue	111700136		11 S.F.	\$25
TE-43	Wilmarie Rodriguez	935 St. James Avenue	111700247		1048 S.F.	\$3,425
TE-44	John, Marie, and Amy Koski	931 St. James Avenue	111700248		591 S.F.	\$1,325
TE-46	United Co-Operative Bank	1069 St. James Avenue	111700229		1,203 S.F.	\$2,735
TE-47	Canaan Baptist Church of Christ	1430 Carew Street	236000229		2224 S.F.	\$1,675
TE-48	Joao Dias and Julia Dias	1440 Carew Street	236000231		48 S.F.	\$50
TE-51	Holyoke Retail, LLC C/O Bacon Wilson	56 St. James Boulevard	111720008		726 S.F.	\$3,050
TE-52	Holyoke Retail, LLC C/O Bacon Wilson	40 St. James Boulevard	111700006		2,120 S.F.	\$5,725
TE-53	Holyoke Retail, LLC C/O Bacon Wilson	40 St. James Boulevard	111700006		1,955 S.F.	\$5,275
TE-54	Serem, Inc.	23-29 St. James Boulevard	111720089		48 S.F.	\$150
TE-56	Milagros Nunez and Mirella Cruz	109 St. James Boulevard	111720075		51 S.F.	\$50
TE-57	T&W Realty	1019 St.	111700235		822 S.F.	\$2,475

	Associates, LLC	James Avenue				
--	--------------------	-----------------	--	--	--	--

Total Damages for Temporary Easements:**\$179,800****Damages for Permanent Easements Easements:**

Taking ID	Titleholder	Property Address	Parcel No.	Total Area	Affected Area	Award Amount
E-1	Big Y Trust*	1316 Carew Street	236000220	159,038 S.F.	678 S.F.	\$3,225
E-2	Holyoke Retail, LLC C/O Bacon Wilson	64 St. James Boulevard	111720009	10,552 S.F.	465 S.F.	\$1,475
E-3	Holyoke Retail, LLC C/O Bacon Wilson	64 St. James Boulevard	111720009	10,552 S.F.	91 S.F.	\$1,650
E-4	Hess Retail Stores, LLC	991 St. James Avenue	111700239	15640 S.F.	487 S.F.	\$8,700
HS-2	SCP2001A- CSF-27, LLC	970 St. James Avenue	11700140	80,785 S.F.	8 S.F.	\$100
HS-3	SCP2001A- CSF-27, LLC	970 St. James Avenue	11700140	80,785 S.F.	8 S.F.	\$100
HS-4	SCP2001A- CSF-27, LLC	970 St. James Avenue	11700140	80,785 S.F.	8 S.F.	\$100
HS-5	Juan Cruz and Esther Rodriguez	30 Fordham Street	052500006	15,103 S.F.	16 S.F.	\$75

Total for Permanent Easements Easements:**\$15,425****TOTAL FOR ALL TAKINGS COMBINED:****\$ 271,900**

The property rights described above are taken subject only to such interests of mortgagees and others as are required by law, and are subject to the prior payment of any unpaid taxes, water and sewer use charges, betterments, if any, to the City of Springfield, MA.

It is further ORDERED: that the City Treasurer be and is hereby authorized to pay said sums to the owners of the land specified above, or to their heirs, successors, or assigns when the same shall become payable as above provided;

that no damages be awarded, other than those above mentioned, inasmuch as no other damages will be sustained by any person, firm, or corporation in their land abutting the public way by reason of laying out and construction of the project within the limits described herein;

that no assessments be levied;

that the City Clerk, in the name and on behalf of the City, is hereby directed to give notice in compliance with Chapter 79 of the Massachusetts General Laws;

that within 30 days after the adoption of this order, the City Clerk is hereby ordered to certify and record a copy hereof, together with the aforementioned Plans, in the Hampden County Registry of Deeds.

Approved by the City Council on _____, 2023:

Gladys Oyola-Lopez.
City Clerk

A true copy attest:

Approved pursuant to Mass. Gen. Laws ch. 43, sec. 30:

Domenic J. Sarno
Mayor
Date signed:_____

Financial Impact:

Total proposed award of damages for the takings is \$271,900. See separate Appropriation Order which must be approved before this Order of Taking can be approved.



City Council

SCHEDULED

Meeting: 01/23/23 07:00 PM

Initiator: Amanda Pham

Sponsors:

DOC ID: 7135

4

Special Permit

For a Special Permit for an Accessory Wall Sign(S), Above the First Floor, at the Properties Known as ES Martone Place (08325-0001)(Book#23837/Page#362), ES 0 Martone Place (08325-0006)(Book#L107/Page#L059) and 70 Martone Place (08325-0007)(Book#L106/Page#0096), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Request:	See Above
Owner:	St James Place Properties, LLC
By:	Bryan Kaye
Petitioner:	St James Place Properties, LLC
By:	Bryan Kaye

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(s), above the first floor, at the properties known as ES Martone Place (08325-0001)(Book#23837/Page#362), ES 0 Martone Place (08325-0006)(Book#L107/Page#L059) and 70 Martone Place (08325-0007)(Book#L106/Page#0096), as authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

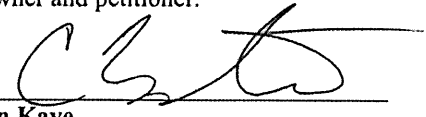
Mailing Address

1260 Sumner Avenue
Springfield, MA 01108

Owner & Petitioner:

St James Place Properties, LLC

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

BY: 

Bryan Kaye



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

11/18/2022

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 : ES Martone Place, ES Martone Place & 70 Martone Place

Petitioner : St. James Place Properties, LLC
1260 Sumner Avenue
Springfield, Ma. 01108

LandLord: St James Place Properties, LLC
1260 Sumner Avenue
Springfield, Ma. 011058

A handwritten signature in black ink, reading "Sandra Powell", is written over a horizontal line.

Sandra Powell / Assistant Treasurer

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**ES MARTONE PLACE, ET.AL (08325-0001)
WALL SIGN(S) (ABOVE THE FIRST FLOOR)**

General Information

Petitioner:	St James Place Properties, LLC
Request:	Erect a wall sign(s) above the first floor.
Proposed use of the property:	Self-storage building
Parcel Size:	68,643 s.f.
Compatibility with current planning documents:	The Bay Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Bay Area Neighborhood Council: 11-28-22
Tax Status:	SEE ATTACHED
Site Visit:	12-5-22
Hearing Date:	12-12-22

Neighborhood characteristics:

The property is zoned Business B and is located in an area that is comprised of primarily industrial/commercial uses. The surrounding land uses include:

- To the north are a gas station/convenience store and an auto glass repair facility zoned Business B.
- To the south are a warehouse operation and oil tank farm zoned Business B.
- To the east is the Oak Grove Cemetery zoned Residence B.
- To the west are an automotive repair facility and manufacturing operation zoned Business B and Industrial A.

Site plan review:

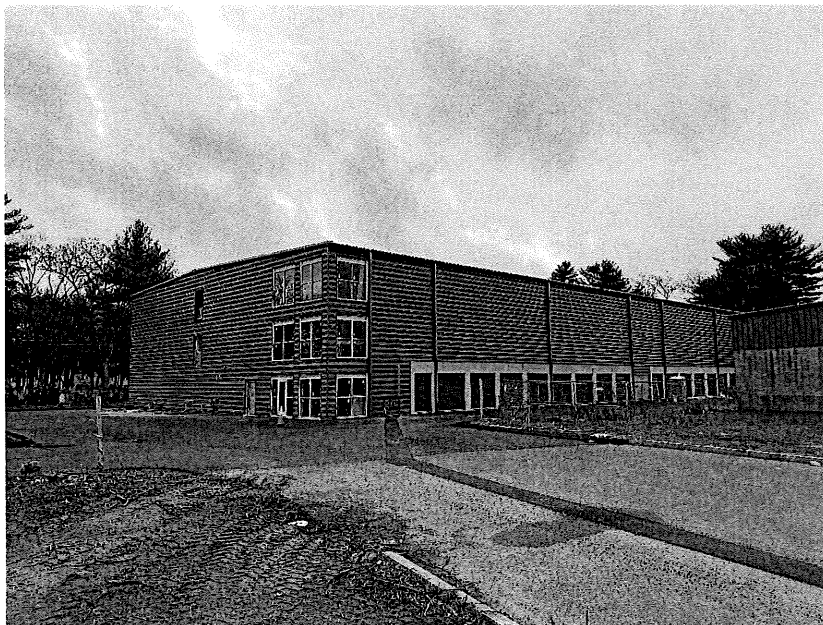
The petitioner has submitted a sign package for the property known as ES Martone Place which includes two (2) accessory wall signs to be located above the first floor. The proposed signs will be advertising the new BKaye Self Storage operation currently being constructed at this location.

As per the attached plans, the proposed signs would be back-lit channel lettering with a total size of eight-two (82) square feet. The proposed signs would be located on the west elevation of the building (facing St James Avenue) and the north elevation (facing Tapley Street).

After visiting the site the staff does not object to the proposed request, however, after reviewing the plans approved during the Site Plan Review process, it was noted that there is a significant design change to the

west elevation of the building. As can be seen in the attached photo, there is currently only one (1) row of windows along the west elevation. As per the approved plans (see attached), there were supposed to be three (3) rows of windows along this side of the property.

In the opinion of the staff, this is a significant change to the approved plans. As such, until this change in the design can be adequately resolved by the petitioner, the staff would recommend that the special permit for the signs be continued.

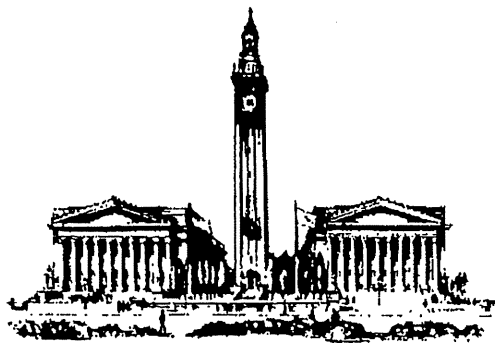


Recommendation

CONTINUE.

Recommended Conditions: (IF APPROVED)

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the installation of two (2) accessory wall signs, above the first floor, at the property known as ES Martone Place (08325-0001), ES 0 Martone Place (08325-0006) and 70 Martone Place (08325-0007).
3. The use shall be developed as per the attached plans and elevations, with the addition of condition #4.
4. All signage shall be fully permitted through the Building Department, prior to installation.
5. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

11/18/2022

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 : ES Martone Place, ES Martone Place & 70 Martone Place

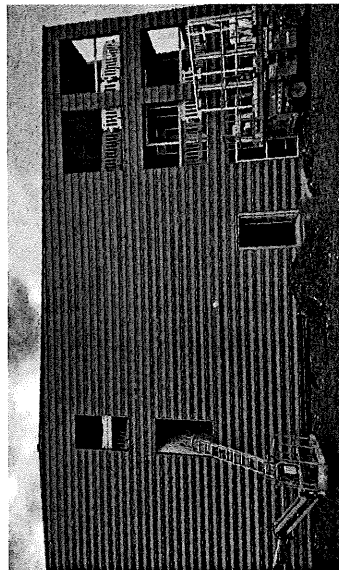
Petitioner : St. James Place Properties, LLC
1260 Sumner Avenue
Springfield, Ma. 01108

LandLord: St James Place Properties, LLC
1260 Sumner Avenue
Springfield, Ma. 011058

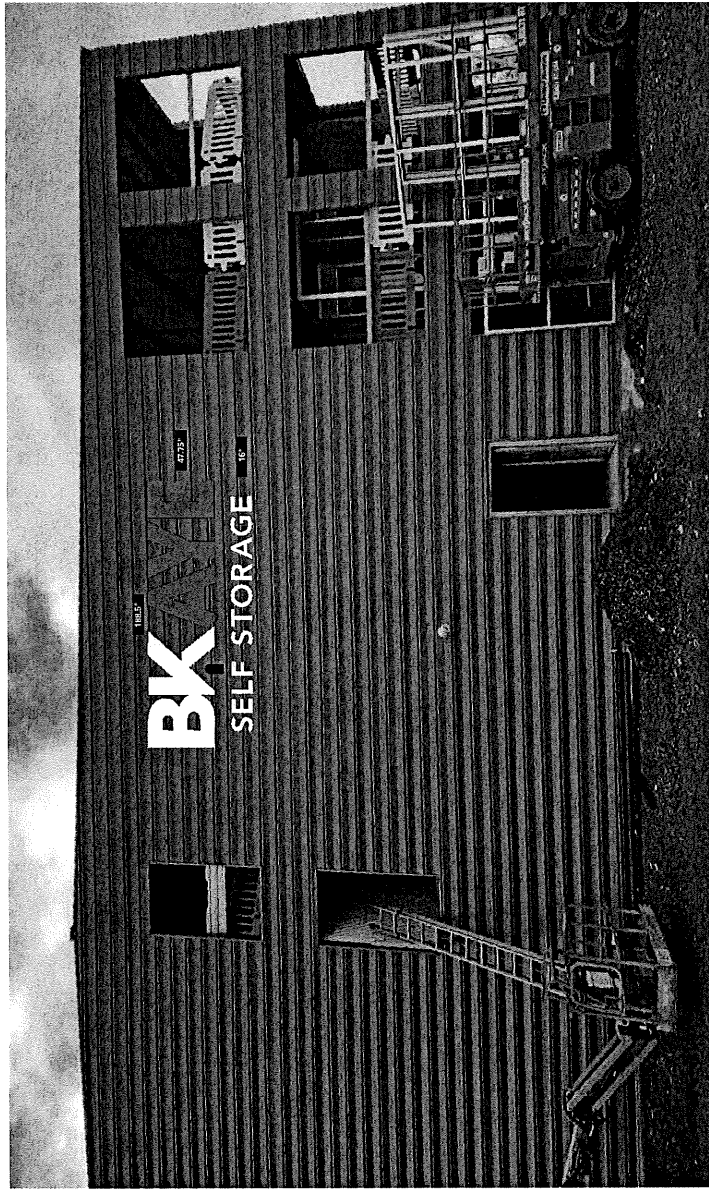
Sandra Powell / Assistant Treasurer

10 18 22 Job Location:
File/ b/bkaye self storage

sign drawing proposal



Existing



Proposed

Description: Backlit Channel letter Sign 82 SQ. FT

ALL ARTWORK IS SOLE PROPERTY OF CHUCK'S SIGN CO.
USE BY ANYONE OTHER THAN CHUCK'S SIGN CO. IS PROHIBITED
ELECTRICAL CONNECTIONS BY OTHERS



Company BKaye Self Storage

Contact Bryan Kaye

Address 553 St. James Ave., Springfield, MA 01109 Phone: 413-636-6928

E Mail bkaye@bkaye.com

Attachment: Martone PI_ES_2022 (7135 : ES Martone Place Et Al)

10 18 22 Job Location:
File/ b/bkaye self storage

sign drawing proposal



Existing

Proposed

Description: Backlit Channel letter Sign 82 SQ. FT

ALL ARTWORK IS SOLE PROPERTY OF CHUCK'S SIGN CO.
USE BY ANYONE OTHER THAN CHUCK'S SIGN CO. IS PROHIBITED
ELECTRICAL CONNECTIONS BY OTHERS



Company BKaye Self Storage

Contact Bryan Kaye

Address 553 St. James Ave., Springfield, MA 01109 Phone: 413-636-6928

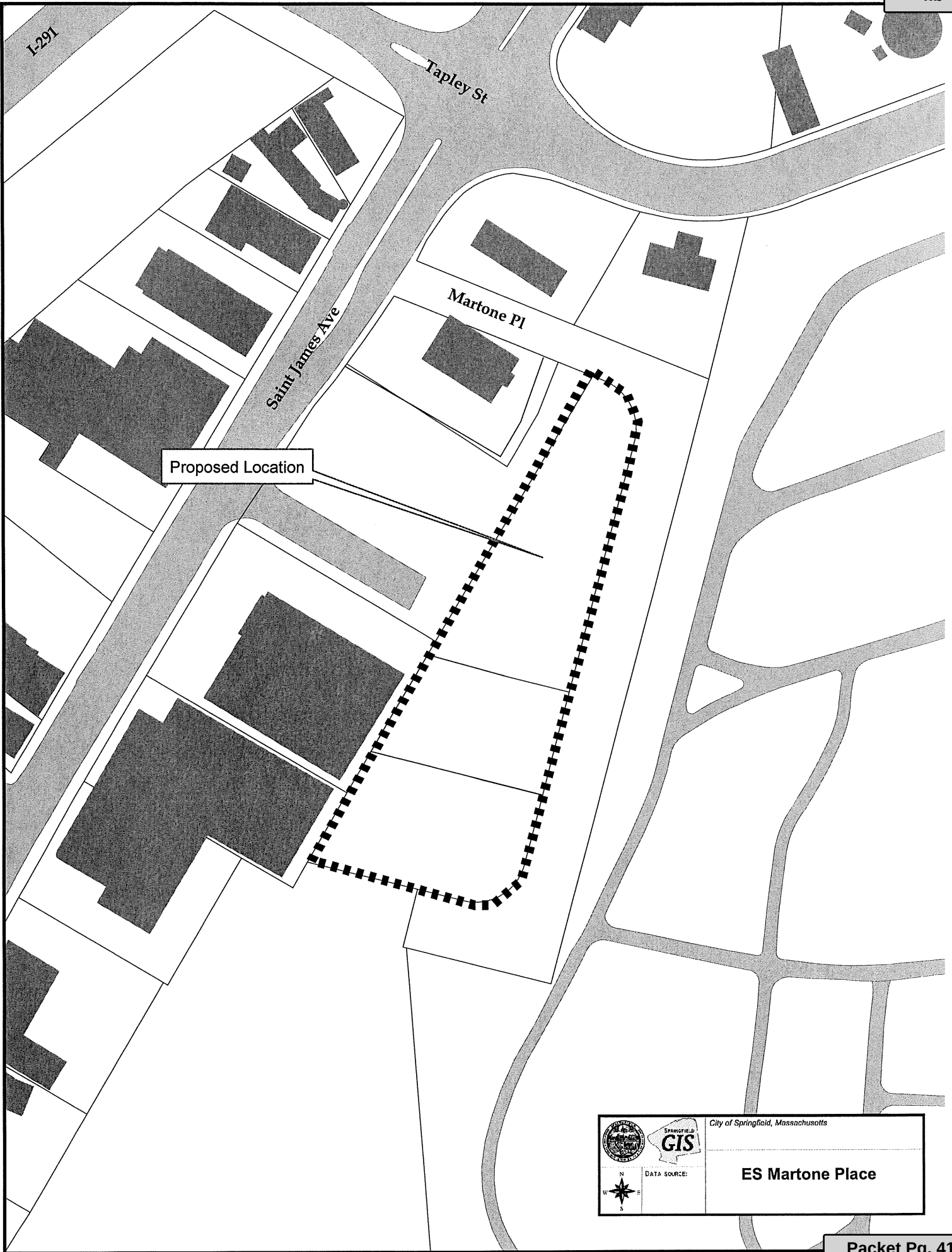
E Mail bkaye@bkaye.com

Attachment: Martone PI ES 2022 (7135 : ES Martone Place Et Al)

4.b

[illegible]

Architectural drawing of the South Elevation of the building. The drawing shows a long, narrow structure with a series of vertical lines representing siding. The total height is 16'0". The width is divided into three main sections: a left section of 48'5", a central section of 48'5", and a right section of 48'5". The left section features a "RIDGE CAP" and a "HORIZONTAL PANEL" at the bottom. The central section has a "RIDGE CAP" and a "HORIZONTAL PANEL" at the top. The right section has a "RIDGE CAP" and a "HORIZONTAL PANEL" at the bottom. The drawing includes various dimensions and labels for structural elements.



Attachment: Martone PI_ES_2022 (7135 : ES Martone Place_Et Al)



City Council

SCHEDULED

Meeting: 01/23/23 07:00 PM

Initiator: Amanda Pham

Sponsors:

DOC ID: 7170

5

Special Permit

**For a Special Permit for Motor Vehicle Sales at the Properties
Known as 971 East Columbus Avenue (04303-0548)
(Book#24447/Page#384) and ES East Columbus Avenue
(04303-0545) (Book#24447/Page#384), as Allowed by M.G.L.
and the Springfield Zoning Ordinance Article 4, Table 4-4,
Section 12.1.**

Request:	See Above
Owner:	Pena Lopez Auto Repair, LLC
By:	Yahaira C Lopez
Petitioner:	Pena Lopez Auto Repair, LLC
By:	Yahaira C Lopez

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

for a special permit for motor vehicle sales at the properties known as 971 East Columbus Avenue (04303-0548) (Book#24447/Page#384) and ES East Columbus Avenue (04303-0545) (Book#24447/Page#384), as allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Mailing Address:

971 E Columbus Avenue
Springfield, MA 01105

Owner & Petitioner:

Pena Lopez Auto Repair, LLC

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

By: _____

Yahaira C Lopez



Attachment: E_Columbus_Ave_971_Tax_Form (7170 : 971 East Columbus Avenue)



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

12/05/2022

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 : 971 East Columbus Avenue & ES East Columbus Avenue

Petitioner : Pena Lopez Auto Repair, LLC
971 East Columbus Avenue
Springfield, Ma. 01105

LandLord: Pena Lopez Auto Repair, LLC
971 East Columbus Avenue
Springfield, Ma 01105

Sandra Powell / Assistant Treasurer

**OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT**

**971 EAST COLUMBUS AVENUE (04303-0546) & ES EAST COLUMBUS AVENUE
(04303-0545)
MOTOR VEHICLE SALES**

General Information

Petitioner:	Pena Lopez Auto Repair, LLC
Request:	Motor vehicle sales.
Proposed use of the property:	Motor vehicle sales.
Parcel Size:	7,979 s.f.
Compatibility with current planning documents:	The South End Neighborhood Plan shows no changes to this area.
Neighborhood council Notification:	South End Citizens Council: 1-2-23
Tax Status:	SEE ATTACHED
Site Visit:	1-11-23
Hearing Date:	1-23-23

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Business B and is located in an area with a mix of commercial and residential uses. The surrounding land uses include:

- To the north are a vacant parcel and a two-family house zoned Business B and Residence C.
- To the south is an automotive repair facility zoned Business B.
- To the east are two (2) family home zoned Residence C.
- To the west is Interstate 91.

Site plan review:

The petitioner has requested a special permit for motor vehicle sales at the property known as 971 East Columbus Avenue. This site is the current location of a tire repair/sales operation.

After visiting the site and reviewing the submitted plans, the staff does not object to the proposed request. After visiting the site, the staff was pleased to see that the property is being maintained in good condition. Due to the size of the site, if approved, the staff would recommend that the number of vehicles allowed to be stored/displayed at this location be limited.

Further, there is currently a grassed area just to the north of this property which is not owned by the petitioner. It needs to be stressed that this area cannot be used for parking, either for display vehicles or customer/employee parking. There is also an existing grassed area located along East Columbus Avenue frontage. This area also cannot be used for parking and must be maintained by the petitioner.

Lastly, there is currently a chain link fence running along the rear of the property. This fence is in very poor condition and runs between this property and the adjacent two-family home. In order to provide a better buffer for this residential abutter, the staff would recommend that a solid fence be installed along the rear property line.



Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted solely for a motor vehicle sales at the property known as 971 East Columbus Avenue (04303-0546) and ES East Columbus Avenue (04303-0545).
2. The use shall be developed according to the attached site plan with the addition of conditions #3 through #11.
3. There shall be no storage of any junk vehicles and/or parts at this location.
4. There shall be no more than five (5) vehicles stored or displayed for sale at any one time.
5. All parking spaces shall be clearly marked.
6. The building shall be maintained graffiti free.
7. The public sidewalk along East Columbus Avenue shall be maintained, including snow removal.
8. A six (6) foot, solid fence shall be installed along the rear property line, directly abutting the property located at 59 Loring Street.
9. The existing grassed area located along the frontage of East Columbus Avenue shall be maintained and shall not be used for parking.
10. The adjacent grassed parcel shall not be used as part of this operation, including the parking of vehicles.
11. The site shall be maintained free of all overgrown vegetation, litter and debris.
12. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

12/05/2022

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:

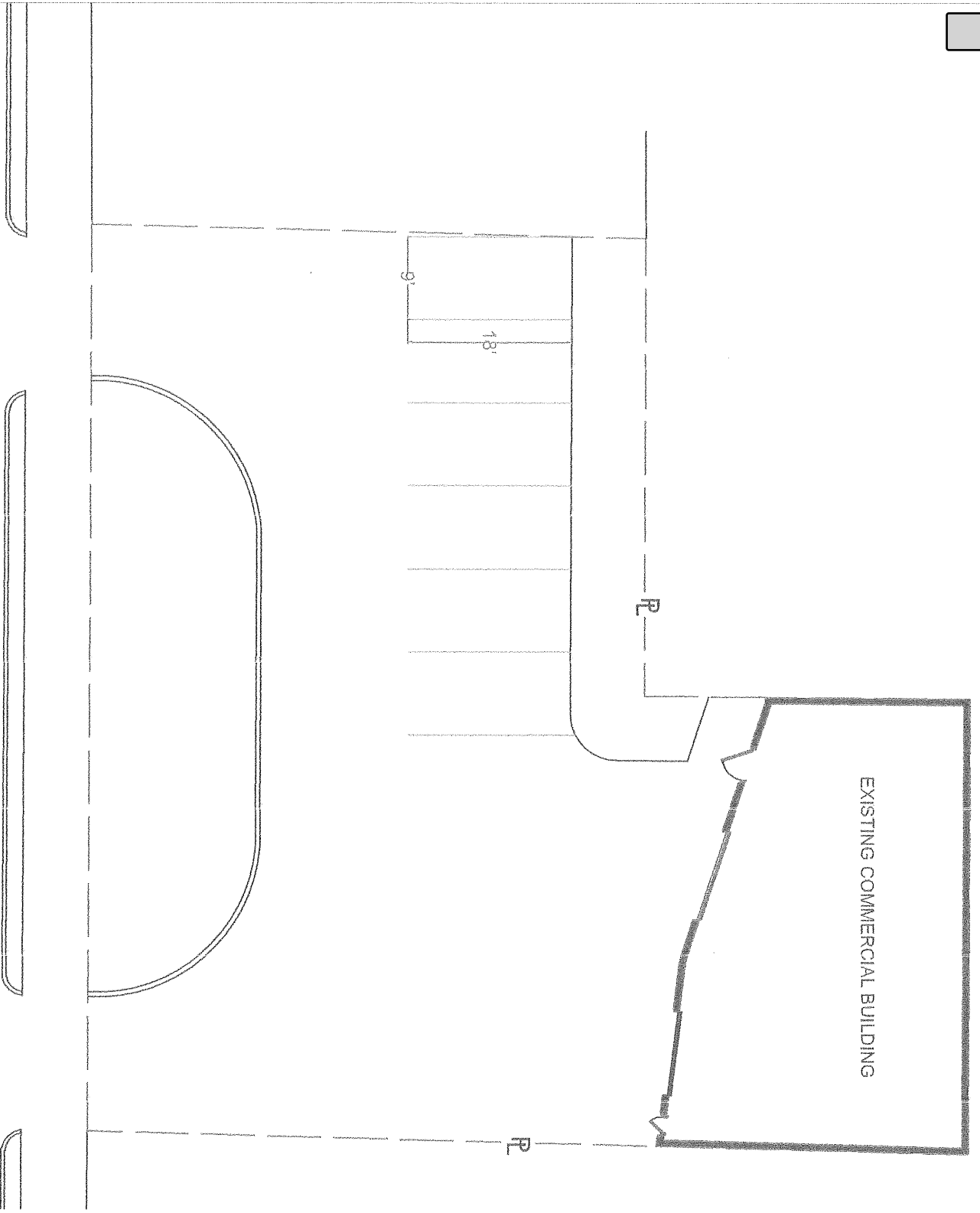
Special Permit : 971 East Columbus Avenue & ES East Columbus Avenue

Petitioner : Pena Lopez Auto Repair, LLC
971 East Columbus Avenue
Springfield, Ma. 01105

LandLord: Pena Lopez Auto Repair, LLC
971 East Columbus Avenue
Springfield, Ma 01105

Sandra Powell / Assistant Treasurer

EAST COLUMBUS AVE



PROJECT:

BUILDING RENOVATION

PROJECT ADDRESS:

971 E. Columbus Ave
Springfield, MA

OWNER:

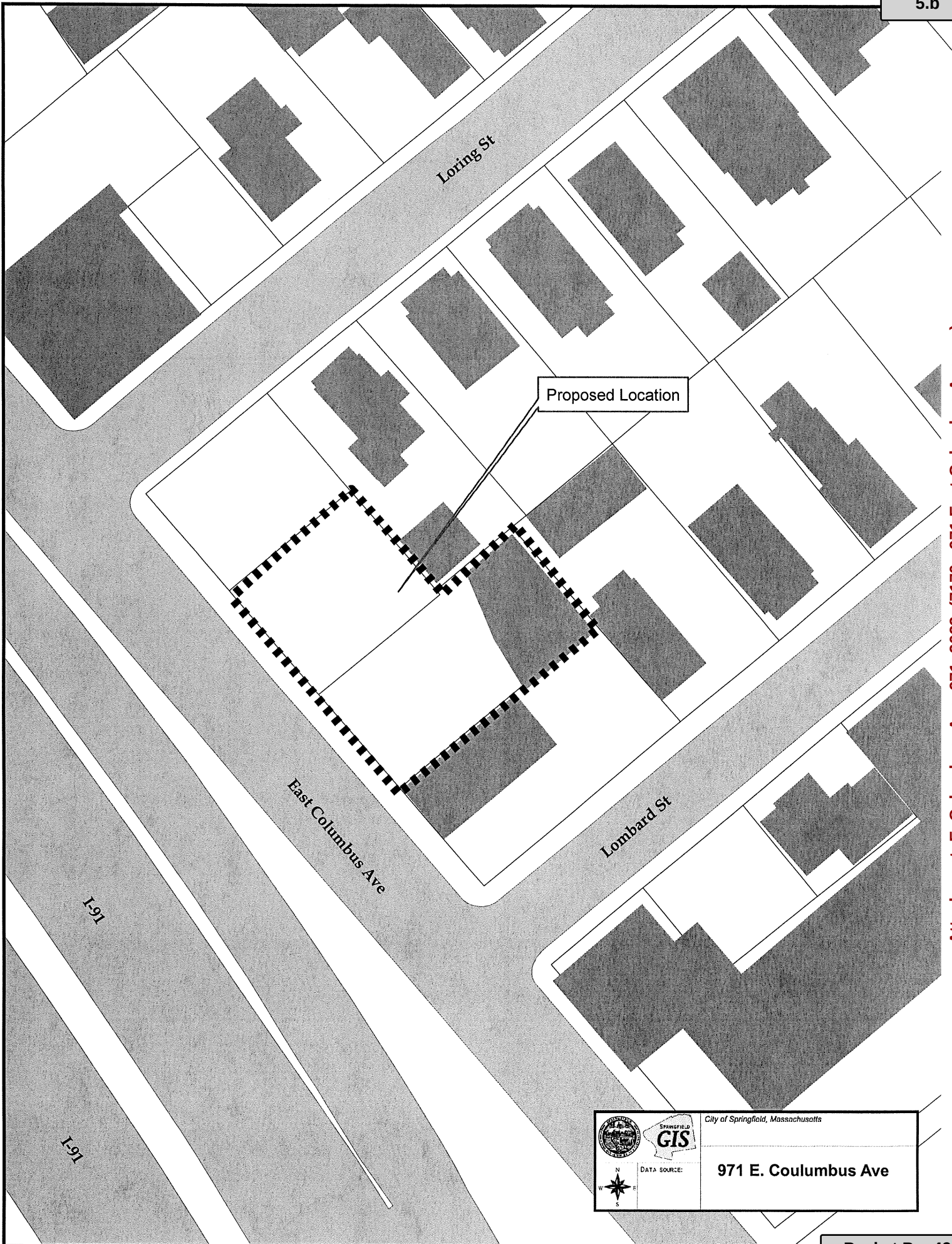
PENA LOPEZ
AUTO REPAIR LLC

DATE: 4/12/2022

SCALE: $\frac{3}{4}$ " = 1'-0"

SITE PLAN

A - 003



Attachment: E_Columbus_Ave_971_2023 (7170 : 971 East Columbus Avenue)

  	CITY OF SPRINGFIELD GIS	CITY OF SPRINGFIELD, MASSACHUSETTS
	DATA SOURCE:	971 E. COULUMBUS AVE



City Council

SCHEDULED

Meeting: 01/23/23 07:00 PM

Initiator: Amanda Pham

Sponsors:

DOC ID: 7171

6

Special Permit

For a Special Permit to Install Eight (8) Foot High Fencing, at the Property Known as 1015 Wilbraham Road (Duggan Middle School)(11282-0789)(Book#1477/Page#541), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 7, Section 7.4.21.

Request:	See Above
Owner:	City of Springfield/Department of Capital Asset
By:	Peter Garvey, Director
Petitioner:	City of Springfield/Department of Capital Assets
By:	Peter Garvey, Director

To The City Council of the City of Springfield:

The undersigned respectfully petition your honorable body

for a special permit to install eight (8) foot high fencing, at the property known as 1015 Wilbraham Road (Duggan Middle School)(11282-0789)(Book#1477/Page#541), as authorized by M.G.L. and the Springfield Zoning Ordinance Article 7, Section 7.4.21.

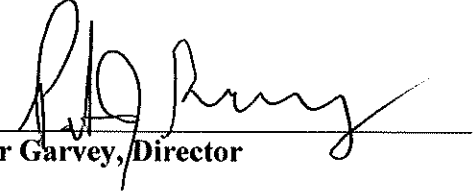
Mailing Address

36 Court Street
Springfield, MA 01103

Owner & Petitioner:

City of Springfield/Department of
Capital Asset Construction

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

BY: 

Peter Garvey, Director

Attachment: Wilbraham_Rd_1015_Formal (7171 : 1015 Wilbraham Road)

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

1015 WILBRAHAM ROAD (DUGGAN ACADAMEY) (12282-0789)
FENCING, OVER SIX (6) FEET

General Information

Petitioner:	Department of Capital Asset Construction
Request:	To install eight (8) foot, chain link fencing.
Proposed use of the property:	Middle school/sports facility
Parcel Size:	973,000 s.f.
Compatibility with current planning documents:	The Sixteen Acres Neighborhood Plan shows no changes to this area.
Neighborhood council notification:	Sixteen Acres Civic Association: 1-2-23
Tax Status:	SEE ATTACHED
Urban Renewal Plan:	Property is not located in an urban renewal plan area.
Site Visit:	1-11-23
Hearing Date:	1-23-23

Staff Analysis

Neighborhood characteristics:

The property is zoned Residence A and located in an area with a mix of commercial and residential uses. The surrounding land uses include:

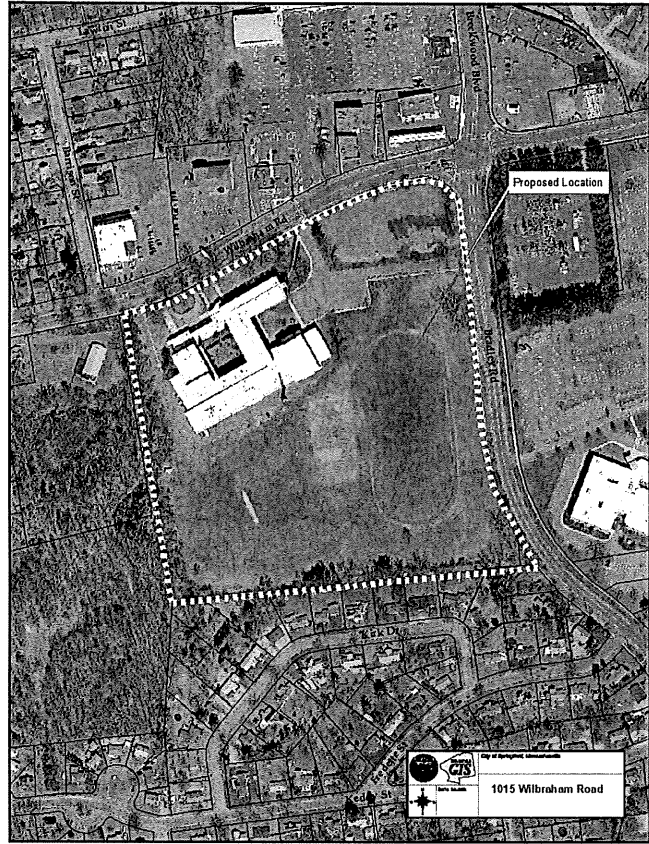
- To the north is a commercial plaza zoned Business A.
- To the south are single-family homes zoned Residence A.
- To the east is Western New England University zoned Residence A.
- To the west are a church and vacant land zoned Residence A.

Site plan review:

The petitioner has requested a special permit to install eight (8) foot high fencing around the new Duggan Academy athletic complex at the property known as 1015 Wilbraham Road. This site is the location of Duggan Academy.

After reviewing the submitted site plans and information, the staff does not object to the proposed request. As noted above, the petitioner intends to install the fencing to enclose the proposed new turf field, running track and grandstands. The petitioner has indicated the fencing is needed for security purposes.

Overall, the staff believes that the proposed fencing is an appropriate use for this location. As per the attached plans, there will be no razor or barbed wire located on the fencing. It should be noted that in addition to the special permit, the proposed athletic complex will also need a Site Plan Review from the Springfield Planning Board.



Recommendation

Approve, with conditions.

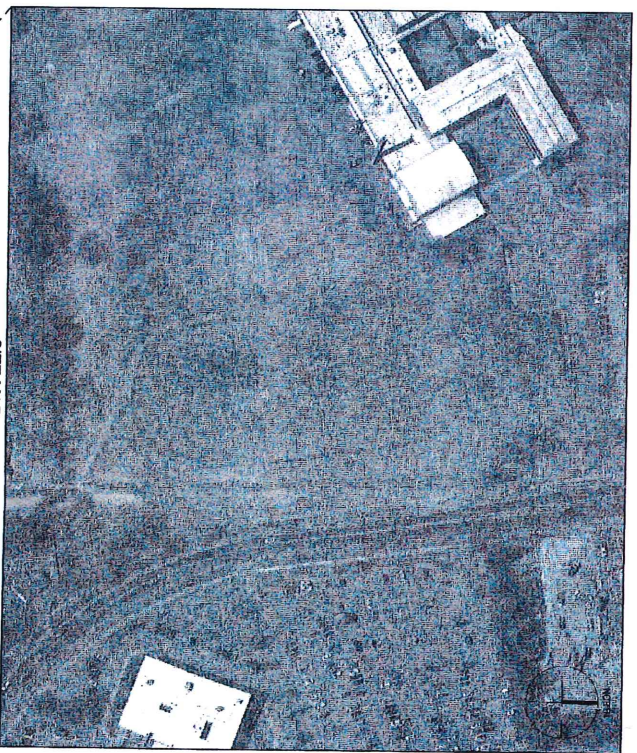
Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for the installation of eight (8) foot high fencing at the property known as 1015 Wilbraham Road (Duggan Academy) (12282-0789).
3. The use shall be developed as per the attached site plans.
4. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in denial of the issuance of a Building Permit and/or Occupancy Permit, revocation of any permits issued and/or enforcement by the Code Enforcement Department punishable by fines of up to \$200 per day for each day a violation exists.

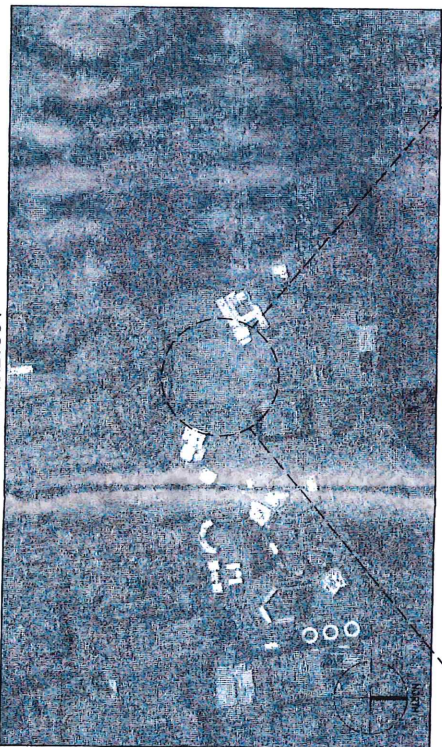
TED PLUMB STADIUM AT DUGGAN ACADEMY
ATHLETIC COMPLEX
REDEVELOPMENT - PHASE 1

1015 WILBRAHAM ROAD
SPRINGFIELD, MA 01109
PREPARED FOR
CITY OF SPRINGFIELD
DEPARTMENT OF CAPITAL
ASSET CONSTRUCTION
36 COURT STREET
SPRINGFIELD, MA 01108

DRAWING NO	SHEET NO	TITLE
G001	1 OF 6	COVER SHEET
G002	2 OF 6	GENERAL NOTES SHEET
C001	3 OF 6	EXISTING CONDITIONS SHEET 1 OF 2
C002	4 OF 6	EXISTING CONDITIONS SHEET 2 OF 2
C101	5 OF 6	LAYOUT AND MATERIALS PLAN
C501	6 OF 6	DETAIL SHEET



SITE MAP
NOT TO SCALE



LOCATION MAP
NOT TO SCALE

 GGA Associates, Inc. Engineers and Planners 1015 WILBRAHAM ROAD SPRINGFIELD, MA 01109 www.gga.com		TIER 3 PERMIT SET																									
PROJECT ATHLETIC COMPLEX REDEVELOPMENT - PH 1 TED PLUMB STADIUM AT DUGGAN ACADEMY 1015 WILBRAHAM ROAD SPRINGFIELD, MA 01109																											
OWNER CITY OF SPRINGFIELD DEPARTMENT OF CAPITAL ASSET CONSTRUCTION 36 COURT STREET, SPRINGFIELD, MA 01108																											
<table><tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th><th>BY</th></tr><tr><td>1</td><td>11/11/11</td><td>PROJECT NO.</td><td>THW</td></tr><tr><td>2</td><td>11/11/11</td><td>DESIGNED BY</td><td>KOL</td></tr><tr><td>3</td><td>11/11/11</td><td>DRAWN BY</td><td>QIN</td></tr><tr><td>4</td><td>11/11/11</td><td>CHECKED BY</td><td>QIN</td></tr><tr><td>5</td><td>11/11/11</td><td>DATE</td><td>11/11/11</td></tr></table>				NO.	DATE	DESCRIPTION	BY	1	11/11/11	PROJECT NO.	THW	2	11/11/11	DESIGNED BY	KOL	3	11/11/11	DRAWN BY	QIN	4	11/11/11	CHECKED BY	QIN	5	11/11/11	DATE	11/11/11
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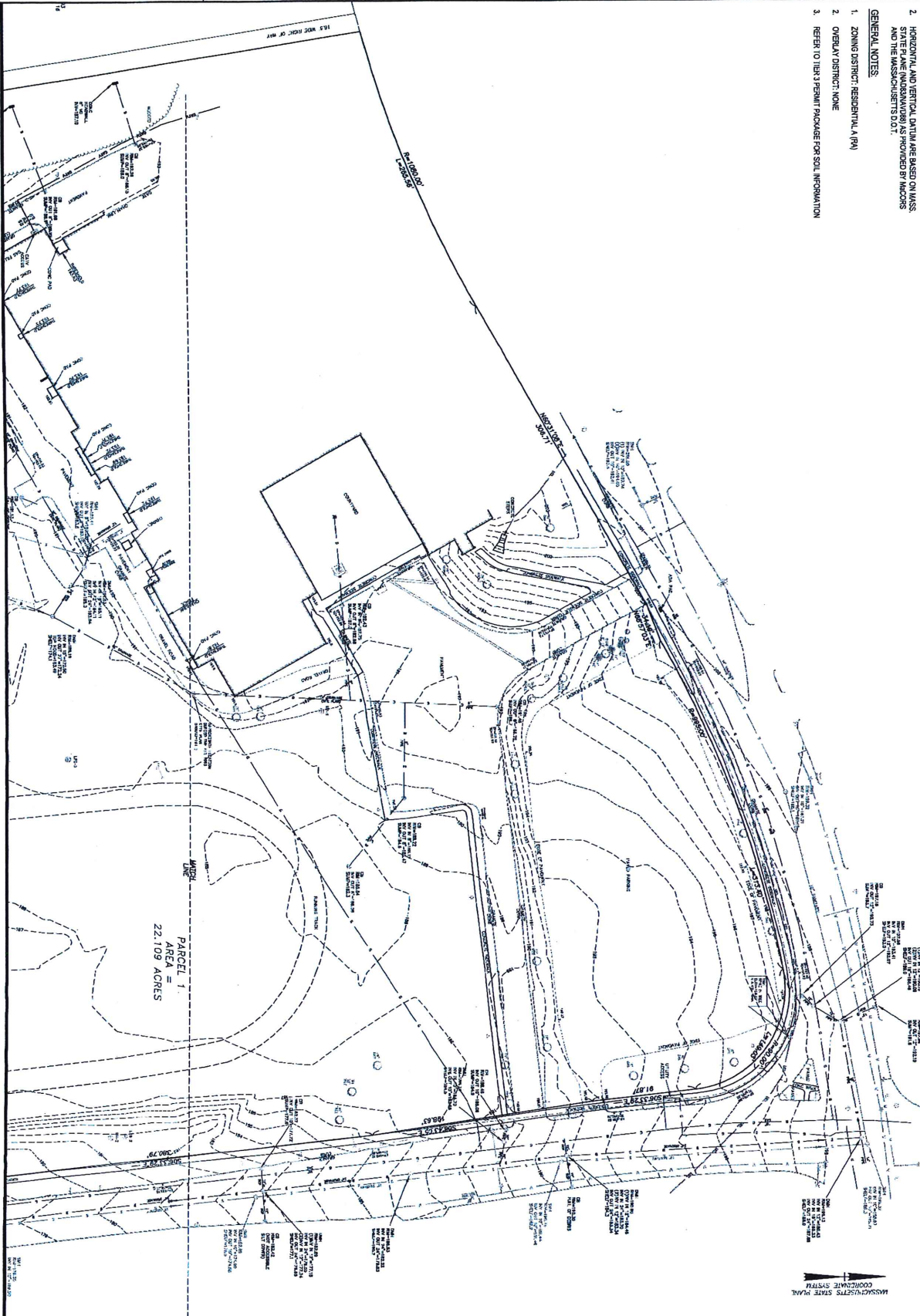


EXISTING CONDITIONS NOTES:

1. THE EXISTING CONDITIONS SHOWN HEREIN IS THE RESULT OF A PARTIAL FIELD SURVEY CONDUCTED BY HENTAGE LAND SURVEYING, INC. (HLS) ON 07/11/2023. HLS DOES NOT GUARANTEE THE ACCURACY OR COMPLETENESS OF THIS SURVEY.
2. HORIZONTAL AND VERTICAL DATA ARE BASED ON MASS. STATE PLANE (NAD83/MASS08) AS PROVIDED BY MASS. AND THE MASSACHUSETTS D.O.T.

GENERAL NOTES:

1. ZONING DISTRICT: RESIDENTIAL A (RA)
2. OVERLAY DISTRICT: NONE
3. REFER TO TIER 3 PERMIT PACKAGE FOR SOIL INFORMATION



GSA Associates, Inc.
 1000 Main Street
 Springfield, MA 01103
 (413) 246-1000
 www.gsa.com

THIS DRAWING IS THE PROPERTY OF GSA ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF GSA ASSOCIATES, INC.

ATHLETIC COMPLEX REDEVELOPMENT - PH 1
TED PLUMB STADIUM AT DUGGAN ACADEMY
 1015 WILBRAHAM ROAD
 SPRINGFIELD, MA 01109

CITY OF SPRINGFIELD
 DEPARTMENT OF CAPITAL ASSET CONSTRUCTION
 36 COURT STREET, SPRINGFIELD, MA 01108

NO.	DATE	DESCRIPTION	BY
1	07/11/2023	PROJECT NO. 1780	
2	07/11/2023	PROJECT NO. 1780	
3	07/11/2023	PROJECT NO. 1780	
4	07/11/2023	PROJECT NO. 1780	
5	07/11/2023	PROJECT NO. 1780	
6	07/11/2023	PROJECT NO. 1780	
7	07/11/2023	PROJECT NO. 1780	
8	07/11/2023	PROJECT NO. 1780	
9	07/11/2023	PROJECT NO. 1780	
10	07/11/2023	PROJECT NO. 1780	

PROJECT NO. 1780
 1015 WILBRAHAM ROAD
 SPRINGFIELD, MA 01109

DESIGNED BY: GSA
 DRAWN BY: GSA
 CHECKED BY: GSA
 DATE: 07/11/2023
 DRAWING NO. 1780-01

GRAPHIC SCALE: 1" = 40'

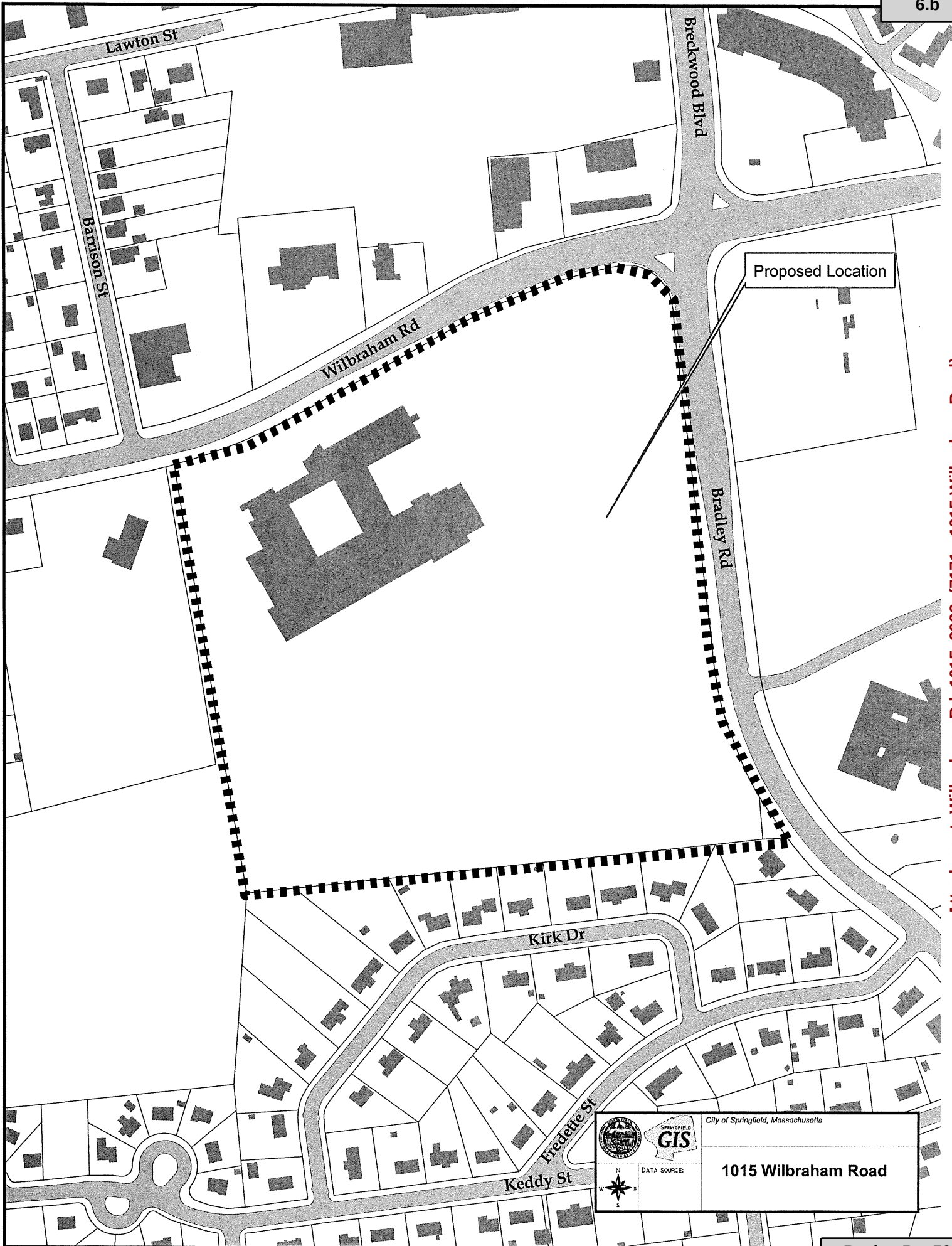
SHEET NO. 2 OF 2

EXISTING CONDITIONS PLAN

0002



PROJECT NO.	DATE	NO.	REV.	DESCRIPTION	BY	DATE	CHECKED BY	DRAWN BY	DATE	PROJECT TOTAL	DRAWING TOTAL	DETAIL SHEET	CS01	6 5 8



Attachment: Wilbraham_Rd_1015_2023 (7171 : 1015 Wilbraham Road)

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

to amend the Springfield Zoning Ordinance by amending Article 4, Section 4.7.114(B)(4) by amending the existing language:

4. No ADULT USE MARIJUANA ESTABLISHMENT may commence operation or apply for a building permit prior to its receipt of all required permits and approvals including, but not limited to, it's Provisional License from the Cannabis Control Commission.

To read as follows:

4. No ADULT USE MARIJUANA ESTABLISHMENT may commence operation or apply for a building permit prior to its receipt of a special permit. No ADULT USE MARIJUANA ESTABLISHMENT may commence operation prior to its receipt of its Provisional License from the Cannabis Control Commission.

Mailing Address:

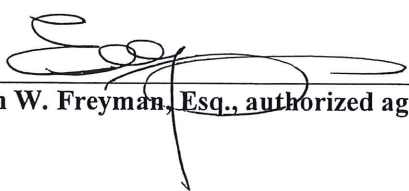
2611 N Woodruff Road
 Spokane Valley, WA 99206

Shatz, Schwartz and Fentin, PC
 1441 Main Street, Suite 1100
 Springfield, MA 01103

Owner & Petitioner:

PS Springfield, LLC

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

BY: 
 Ellen W. Freyman, Esq., authorized agent

RECEIVED
 2022 NOV 14 12:00
 CITY CLERK'S OFFICE
 SPRINGFIELD, MA

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

AMENDMENT TO ARTICLE 4, SECTION 4.7.114(B)(4)

GENERAL INFORMATION

Petitioner:	PS Springfield, LLC
Request:	To amend Article 4, Section 4.7.114(B)(4)
Location:	City wide
Parcel Size:	N/A
Purpose:	To allow the property owner to apply for a Building Permit to start construction
Surrounding Land Use and Zoning:	n/a
Site Visit:	n/a
Neighborhood Council Notification:	n/a
Planning Board Hearing Date:	12-7-22

SPECIAL INFORMATION

Traffic & Parking:	n/a
Physical Characteristics:	n/a
Other Notes:	n/a

ANALYSIS

The petitioner has requested to amend Article 4, Section 4.7.114(B)(4) by amending the existing language. The current language reads as follows:

4. **No ADULT USE MARIJUANA ESTABLISHMENT may commence operation or apply for a building permit prior to its receipt of all required permits and approvals including, but not limited to, it's Provisional License from the Cannabis Control Commission.**

The proposed amendment would change the language to read as follows:

4. **No ADULT USE MARIJUANA ESTABLISHMENT may commence operation or apply for a building permit prior to its receipt of a special permit. No ADULT USE MARIJUANA ESTABLISHMENT may commence operation prior to its receipt of its Provisional License from the Cannabis Control Commission.**

As noted above, the owner of the property known as SS Boston Road (formally 469 Boston Road) has

submitted a petition to amend the Springfield Zoning Ordinance. The proposed amendment specifically relates to the owners' proposal to construct a new Adult Use Marijuana retail operation at this location (Kur). A special permit for this use was issued by the City Council back in June 2022. As currently written in the existing Zoning Ordinance, the owner is not allowed to to apply for a Building Permit to start construction until a Provision License from the Cannabis Control Commission (CCC) has been obtained. The proposed amendment would remove this language and allow the owner to move forward with a Building Permit application without having to obtain the Provisional License.

In reviewing the proposed request, while the staff recognizes that the proposed amendment will not significantly change the underlying regulations, the staff does have strong reservation with regards to the proposed request. First and foremost, the staff has strong concerns about amending the underlying regulations for one (1) particular business. The staff firmly believes that this would be setting a bad precedent with regards to the overall zoning regulations.

Second, it is important to note that the existing Adult Use Marijuana Establishment regulations (Article 4, Section 4.7.110) has been in place since 2018 and has had to be followed by all applicants applying for Adult Use Marijuana establishments. As such, all selected operators were required to obtain their Provisional License from the CCC, prior to the issuance of a Building Permit. The staff is unclear why this particular applicant cannot follow this same procedure, especially since the special permit was issued close to six (6) months ago.

With regards to the underlying Adult Use Marijuana Establishment regulations, the staff would acknowledge that it may be time to review these regulations to see what, if any, amendments need to be made based on information gathered over the last four (4) ± years. However, the staff strongly believes that this should be completed in a more inclusive manner with input from the Law Department, City Council, Health Department and Building Department. Again, based on information gathered over the last few years, amendments to the underlying regulations may be appropriate but any amendments should be done comprehensively and not as an individual request to change just one (1) section of the ordinance.

RECOMMENDATION

Not to approve.

City of Springfield
70 Tapley Street
Springfield, MA 01104
(413) 787-6020

From: Gee, Talia <TGee@springfieldcityhall.com>
Sent: Monday, December 5, 2022 12:33 PM
To: Dromey, Phil <pdromey@springfieldcityhall.com>; Shea, Kenneth <KShea@springfieldcityhall.com>
Cc: Desilets, Steve <SDesilets@springfieldcityhall.com>
Subject: Proposal to Amend Zoning Ordinance
Importance: High

Hello Phil and Ken,

As you know, a proposal to change the zoning ordinance is on tonight's City Council agenda. The proposal is to eliminate the requirement that a marijuana establishment first obtain a provisional license before it can obtain a building permit. After reviewing the relevant CCC regulations, I do not think the zoning ordinance should be changed.

As part of the CCC's review of an application for a provisional license, the CCC's regulations state: "The Commission shall review architectural plans for the building or renovation of a Marijuana Establishment. **Construction or renovation related to such plans may not begin until the Commission has granted approval.**" 935 CMR 500.103(1)(a). So even if the operator were to obtain a building permit before obtaining a provisional license, it cannot legally begin construction until it obtains the provisional license. The City ordinance just reflects the state requirement.

Additionally, "Submission of such plans shall occur in a manner and form established by the Commission including, but not limited to, a detailed floor plan of the Premises of the proposed Marijuana Establishment that identifies the square footage available and describes the functional areas of the Marijuana Establishment, including areas for any preparation of Marijuana Products, and, if applicable, such information for the single allowable off-Premises location in Massachusetts where Marijuana will be cultivated or Marijuana Products will be prepared; and a description of plans to ensure that the Marijuana Establishment will be compliant with requirements of the Americans with Disabilities Act (ADA) Accessibility Guidelines." 935 CMR 500.103(1)(a). Obtaining the provisional permit from the CCC ensures that the architectural plans are compliant with the state regulations, which is something we want to ensure in the City.

Lastly, the information that would be required to obtain a Provisional License is also information that the City would want to ensure construction is compliant with the CCC, ADA, and other applicable laws. Additionally, the information required ensures compliance with the response to the RFP/Q, which is also something the City would want. Therefore, it is my opinion that the proposed change should not be allowed.

The reasons stated above are in addition to the reasons Phil previously pointed out, which is (1) that it is a bad practice to change an ordinance for one establishment and (2) all other establishments have had to comply with this requirement for four years without issue.

Please let me know if you would like me to attend tonight's meeting to state these concerns to the City Council. I have to put my son to bed at 7PM but can log on after that.

Best regards,

Talia K. Gee, Esq./MBA
Records Access Officer for the City of Springfield
First Associate City Solicitor
City of Springfield, Law Department
36 Court Street, Room 210
Springfield, MA 01103
Telephone: (413) 787-6085

Attachment: Proposal to Amend Zoning Ordinance (7138 : Amendment Article 4, Section 4.7.14(B)(4)(Adult Use))



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

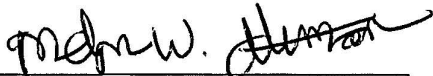
AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING 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, effective August 26, 2013, as amended, is hereby further amended **by amending Article 4, Section 4.7.114(B)(4). Plot #3235, for “the entire City 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 December 7, 2022 regarding the above Ordinance amendment.

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


Gloria DeFillipo, Chairperson



CITY OF SPRINGFIELD

IN THE YEAR TWO THOUSAND AND TWENTY-TWO

AN ORDINANCE

AMENDING THE ENTIRE CITY OF THE BUILDING ZONING 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, effective August 26, 2013, as amended, is hereby further amended **by amending Article 4, Section 4.7.114(B)(4). Plot #3235, for “the entire City Building Zone Map of the City of Springfield.”**

**REPORT TO CITY COUNCIL
ZONE CHANGE HEARING**

PETITION: #3235
SECTION: City-Wide

DATE: December 8, 2022

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: PS Springfield, LLC

ADDRESS: City-wide

CHANGE REQUESTED: Proposed amendment to Article 4, Section 4.7.114(B)(4)

PETITIONER'S PURPOSE STATEMENT: To allow the petitioner to move forward with obtaining a building permit without the need of a Provisional License from the Cannabis Control Commission.

DATE OF PUBLIC HEARING: December 7, 2022

DATE OF FINAL DECISION: December 7, 2022

BOARD MEMBERS PRESENT and COUNT: seven (7): Mr. Cunningham, Ms. McQuade, Ms. Choi, Ms. DeFillipo, Mr. Daniele, Ms. Morin and Mr. Florian

FINAL MOTION: NOT TO APPROVE

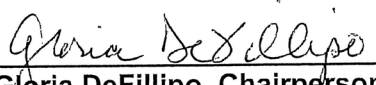
IN FAVOR: seven (7): Mr. Cunningham, Ms. McQuade, Ms. Choi, Ms. DeFillipo, Ms. Morin, Mr. Daniele and Mr. Florian

OPPOSED: zero (0)

ABSTAINED: N/A

RECOMMENDATION: NOT TO APPROVE PROPOSED AMENDMENT

Respectfully submitted,


Gloria DeFillipo, Chairperson

Attachment: 3235 Adult Use Article 4 2022 PB Report (7138 : Amendment Article 4, Section 4.7.114(B)(4)(Adult Use))