



City Council

Hearings Meeting

~ Final ~

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

Gladys Oyola-Lopez

Monday, March 27, 2023

7:00 PM

Springfield City Hall -- Council Chambers

Hearings

7:00 PM Meeting called to order on March 27, 2023 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Kateri B. Walsh	At-Large Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Maria Perez		Present	
Tracye Whitfield	At Large City Councilor	Present	
Zaida Govan	Ward 8 City Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Malo Brown	Ward 4 Councilor	Present	
Justin Hurst	At Large Councilor	Present	
Lavar Click-Bruce	Ward 5 City Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Sean Curran	At-Large Councilor	Present	
Victor Davila	Ward 6 Councilor	Present	
Jesse Lederman	President	Present	

Moment of Silence - Pledge of Allegiance

Special Permits

Condition #6 to Special Permit

1 year review of the Special Permit from the date of issuance

Re-Open Hearing

A motion was made by Councilor Perez and seconded by Councilor Whitfield to re-open the hearing for purposes of allowing the petitioner to provide additional testimony.

All councilors voted unanimously to re-open the hearing.

Condition #7 to Special Permit

1. Special Permit (ID # 7204)

To Amend an Existing Special Permit (Mechanical Public Car Wash), Granted March 2013, by Allowing a Change in the Petitioner, at the Property Known as 1193 State Street (11110-

0416) (Book#15590/Page#333), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.3(1).

Request:	See Above
Owner:	Pogman Realty, LLC
By:	Felipe Goncalves
Petitioner:	JLL Real Estate, LLC
By:	Richard Kowalski

HISTORY:**02/27/23****City Council****CONTINUE VOTE****Next: 03/27/23****COMMENTS - Current Meeting:**

Richard Kowalski of Wilbraham spoke in favor of the item.

Stanley Dewberry of Alden Street spoke in opposition and asked if the car wash would be expanding.

Nancy Jones, 76 Buckingham Street, spoke to Mr. Kowalski regarding the proposed expansion that would allow cars to stay. She is in opposition of that part of the request.

Councilor Brown spoke and asked if the petitioner is able to speak on the concern of the neighborhood/residents about expansion.

Mr. Kowalski offered to install quieter vacuums in the same foot print. He also noted that he would be willing to create an area for cars to park while they dry their vehicles. Offered to erect signage to dissuade customers from hanging out and creating noise disturbance.

Councilor Brown noted that there seems to be a disconnect between the petitioner and the residents/neighborhood. Asked if the petitioner is looking to expand in any way at all. Mr. Kowalski said no that the footprint of the car wash is small and they do not plan on expanding at all.

Councilor Govan how many cars can be washed at a time.

Mr. Kowalski responded by saying 1 car at a time.

Councilor Govan's concern was regarding the car wash staff being able to handle possible issues. She also asked hours of operation. 7am to 8pm and an employee will be on the property.

Councilor Whitfield noted she is a member of the church that is in close proximity to the car wash. Asked about Sunday hours and whether cameras would be in place to monitor the facility.

Mr. Kowalski acknowledged the noise and loitering is a concern. Hopes that a dedicated staff on site will help alleviate problems. He has shared his contact information with church and neighborhood council members.

Dromey noted that the petitioner would have to come before the council if they plan to expand.

Councilor Whitfield supports the special permit and noted that new ownership will provide new opportunities.

Councilor Bruce-Click thanked the petitioner for being a good neighbor.

Councilor Perez asked if there was any signage notifying customers of the rules. Mr. Kowalski noted that he had spoken to the church and promised to erect signs as soon as possible.

Councilor Brown asked about employment and if Springfield residents would be hired as they know the neighborhood/city.

Mr. Kowalski noted they are in talks with a neighbor regarding working at the car wash.

Councilor Whitfield asked to hear from a church representative and how they feel about the promised concessions. Mr. Dewberry said he is comfortable with the petitioners proposed concessions.

Councilor Davila asked about the hours of staffing and whether Mr. Kowalski met with the neighborhood council. He also asked Phil Dromey to go over the conditions that were already in place from the 2013 special permit.

Mr. Kowalski noted that they plan on assessing the current operations and making decisions on the hours of operations later in the year. He mentioned fencing the dumpster and also installing trash receptacles near the vacuums.

Councilor Brown asked what neighborhood council he spoke to. Mr. Kowalski noted that he spoke to Adrienne Osbourne of the Upper Hill Neighborhood Council. Councilor Brown stated he has never heard about that council and he has been on the council for a trillion years. He also asked the petitioner has spoken to Councilor Click-Bruce or Councilor Brown. Mr. Kowalski has not spoken to either councilor. Councilor Brown also asked to hear from the church. Councilor Whitfield summarized the church's concerns and the petitioners concessions and promises.

Councilor Fenton asked if the petitioner would agree to the condition that an employee be present at all times. Suggested a gate be installed. Mr. Kowalski noted that there is an open/closed sign that they will be fixing soon. Councilor Fenton noted additional conditions including staffing, signage and no expansion, and surveillance. Councilor Fenton asked if the petitioner would entertain putting up a 6ft fence vinyl or stockade.

The petitioner said he would if completely necessary. Councilor Fenton said he would second the one year review mentioned by Councilor Davila.

The operation has been open 24/7 and the petitioner has plans to shut down the car wash/vacuums when it is not open to the public.

Councilor Brown asked if this is something that needs to be done immediately? Is there a time limit and how will it hinder the petitioner if it was pushed back.

Councilor Davila motion to add a 6th 1 year review of the Special Permit from the date of issuance. Second Councilor Fenton.

Councilor Whitfield agreed with Councilor Fenton's idea of erecting a fence.

Motion by Councilor Fenton to "Install a 6ft tall vinyl or stockade fence on the rear of the parcel off of Berlin street extending approximately 118ft".

Councilor Perez made a motion to re-open the hearing. Second by Councilor Whitfield.

Councilor Perez asked if the privacy fence would cause an undue financial hardship to petitioner. The petitioner noted that there is a wooded area in the location of the fenced area and that erecting a fence would not help to mitigate the noise. The two existing fences both buffer the woods.

Councilor Whitfield noted the wooded area is sparse and the car wash is easily visible from the church. Noted that the cost associated with erecting a fence is worth it. Noted that the concerns of her church and her church family are valid.

ATTACHMENTS:

- State_St_1193_Tax_Formal (PDF)
- State_St_1193_2023 (PDF)

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

2. Special Permit (ID # 7237)

For a Special Permit to Install a Digital, Non-Accessory (Billboard) Sign, at the Property Known as 4 Birnie Avenue (01480-0006)(Book#23369, Page#527), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 9, Section 9.9.

Request:	See Above
Owner:	Hann Realty Bershire, LLC
By:	Daniel Hannoush
Petitioner:	Maverick Media, LLC
By:	Val Barsom

COMMENTS - Current Meeting:

Seth Stratton spoke on behalf of Maverick Media owner Valerie Barsom and property owner Daniel Hannoush.

This is step 4 of the proposal. Met with NNCC who is in support of the sign, went before the SRA to receive approval, presented to the ZBA and received approval. Primary purpose of

the sign is advertising. The sign will also allow for PSA's and advertising for small businesses. Noted that Phil Dromey has concerns about the various variances granted by the ZBA. The main variance being the height of the signage. In order to account for the elevation of the highway the sign has to be significantly taller.

Jose Claudio, Clayton Street, on behalf of the NNCC and the NNCC board spoke in favor of the signage. He noted that the strip of Birnie Avenue is not residential and it is already part of the Urban Renewal Plan. Noted that the digital billboard would be a benefit to the neighborhood and the city of Springfield.

Councilor Brown asked if the petitioner will be doing community advertising and who the owner of the sign is. What is the technology of the sign. Attorney Stratton explained the state and federal regulations as well as briefly how the sign would work. He noted that NNCC would work with them as a clearing house for community requests for usage of the billboard/sign. Councilor Brown noted that he is in support of the sign.

Councilor Davila asked the total height. Atty. Stratton noted that the sign is 80ft from the ground. Councilor Davila noted he is in support of the permit.

Councilor Allen noted that one of the biggest efforts that the Council undertook was updating the zoning ordinances. He noted that this special permit would violate some of the changes that were done to the zoning ordinance. He asked who would control the signage for things such as an Amber alert. Attorney Stratton noted that it would be Maverick Media.

Councilor Perez noted the community uses for the sign. Noted that the technology would be a good use for emergencies. Noted her full support of the item.

Councilor Hurst noted his support of the petition.

Councilor Whitfield noted her support of the digital billboard. Noted her understanding of the points made by Councilor Allen that exceptions can be made if it is in the best interest of the City.

ATTACHMENTS:

- Birnie_Ave_4_Tax_Formal (PDF)
- Birnie_Ave_4_2023 (PDF)
- Birnie_Ave_4_2023_Revised (PDF)

RESULT: ADOPTED [UNANIMOUS]

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

3. Special Permit (ID # 7262)

To Amend an Existing Special Permit (Mechanical Public Car Wash), Originally Granted November 2006 and Amended in January 2017, by Allowing a Change in the Petitioner, at the Properties Known as 416 Cooley Street (03170-0086) and WS Cooley Street (03170-0084) (Book#20442/Page#561), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.3(1).

Request: See Above
 Owner: Five Town Station, LLC
 By: Joseph Schlosser
 Petitioner: RTNC Auto Wash, Inc.
 By: Richard Lemelin, President

COMMENTS - Current Meeting:

Neal Phillips, James Carrier, Richard Lemelin

Walter Gould, EFPNC, noted that they met with the new owners. East Forest Park is in favor of the change of ownership.

Councilor Brown asked if the new owner would be willing to improve the cosmetic appearance.

Mr. Carrier noted that he has followed all conditions set forth in the past including landscaping and fencing.

Councilor Allen thanked the owners and noted his support on the petition.

ATTACHMENTS:

- 416_Cooley_St_Tax_Formal (PDF)
- Cooley_St_416_2023 (PDF)

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

4. Special Permit (ID # 7263)

To Amend an Existing Special Permit (Mechanical Public Car Wash), Originally Granted March 2003, by Allowing a Change in the Petitioner, at the Property Known as 1310 St James Avenue (11170-0184) (Book#24734/Page#16B1), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.3(1).

Request: See Above
 Owner: James Carrier, Debra Chabot,
 Daniel H Burnett
 By: James Carrier, Debra Chabot,
 Daniel H Burnett
 Petitioner: RTNC Auto Wash, Inc.
 By: Richard Lemelin, President

COMMENTS - Current Meeting:

Neal Phillips, James Carrier, Richard Lemelin

Attorney Phillips said that the neighborhood council. ESNC is in support.

Councilor Lederman explained the process after the special permit is approved.

Councilor Fenton noted that the petitioner met with the neighborhood council. Applicant will return to the council for an extension of hours at some future date.

Councilor Fenton asked if it would be okay to take this item as a voice vote. Councilor Lederman noted that even if only one member is participating virtually then a roll call vote is required.

ATTACHMENTS:

- 1310_St_James_Ave_Tax_Formal(PDF)
- St_James_Ave_1310_2023 (PDF)

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

5. Special Permit (ID # 7252)

For a Special Permit/Site Plan Review for the Proposed Barbara Rivera Community Center, to Include a Building for Medical Offices, at the Properties Known as ES Chestnut Street (02750-0410), WS Prospect Terrace (09952-0006, 0007 and 0008), SS Prospect Terrace (09952-0010), 27 Prospect Terrace (09952-0012), ES Prospect Terrace (09952-0014) and WS Prospect Terrace (09952-0005) (Book#24572/Page#54), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 10.3.

Request:	See Above
Owner:	New North Citizens Council, Inc.
By:	Maria M Ligus, Executive Director
Petitioner:	New North Citizens Council, Inc.
By:	Maria M Ligus, Executive Director

COMMENTS - Current Meeting:

Attorney Martin gave an overview of the special permit.

Maria Ligus, Executive Director of NNCC, spoke in favor of the project.

NNCC has 88 full time employees. The completion of this building would bring 55 of those employees back under one roof. Mrs. Ligus

Jose Claudio of NNCC noted that this is the 50th year anniversary of the center. He noted that this will be bring jobs and taxes to the City of Springfield.

Alan Nardi, architect working with NNCC noted that he is working closely with Phil Dromey to ensure compliance with planning. Noted that this group is very sensitive to the needs of the community.

Councilor Whitfield asked about the tax rolls and for further explanation on the medical practitioners. Mr. Claudio noted NNCC will be leasing the land.

Councilor Brown commended Mr. Claudio on his work. Mr. Claudio noted that the work being done is a team effort.

Councilor Davila asked what type of medical specialties would be housed in the building. Mr. Claudio noted it would be chiropractic. He noted the facility would be two floors and include a gymnasium and a bank.

Councilor Govan commended NNCC for the project that will continue to serve the community.

Councilor Allen asked the time frame of building. Mr. Nardi noted that it will take about a year for the main building to be open. The second building will not be built at the same time. Commended the inclusion of that bank in the building.

Councilor Fenton noted the work that has been done to bring this project to pass. He is in support of the project.

Councilor Walsh noted that this is a wonderful tribute to the legacy of Barbara Rivera.

ATTACHMENTS:

- Chestnut_St_Tax_Formal (PDF)
- Chestnut_St_ES_2023 (PDF)

RESULT:

ADOPTED [UNANIMOUS]

AYES:

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

Petitions

6. Petition (ID # 7309)

23-02 Rifle Street One Way

COMMENTS - Current Meeting:

Councilor Edwards made a motion to take this item out of order. No one was present to speak on the item.

A motion was made to continue by Councilor Curran. Seconded by Councilor Edwards.

ATTACHMENTS:

- Rifle St map (PDF)
- Rifle St. view (PDF)
- 2-6-2023 Agenda (PDF)
- TRAFFIC comm mins 2 7 2023 (PDF)

RESULT:	CONTINUE VOTE [UNANIMOUS]	Next: 4/24/2023 7:00 PM
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman	

7. Petition (ID # 7310)

Honorary Sign- in Honor of Ron Johnson.

COMMENTS - Current Meeting:

Councilor Edwards made a motion to take this item out of order.

Mr. Ron Johnson Jr. spoke virtually in support of the petition. His father is Ronn Johnson and he noted his public service and community work.

Councilor Brown noted that Ronnn Johnson was a mentor of his and he is in support of the petition.

Councilor Govan spoke in support of the petition.

Councilor Hurst noted that Ron Johnson was a community icon. He was a model and mentor who gave back selflessly. He is in support of the petition.

Councilor Click-Bruce offered his condolences to Mr. Johnson Jr and Donna Johnson. He noted his support for the petition.

Councilor Whitfield echoed the sentiments of previous Councilors. She worked with Ron Johnson and noted his positive impact in the community.

Councilor Allen spoke in favor of the petition and noted Ron Johnson's positive values and principals. Noted that Ronn Johnson is spelled with 2 n's.

Councilor Fenton noted that he is in full support of the petition.

Councilor Perez shared her condolences with the family and noted that she is in support of the petition.

Councilor Edwards shared his condolences with the family. He shared his history with Ronn Johnson and is full support of the petition.

Councilor Lederman

ATTACHMENTS:

- 3-6-2023 Agenda 1 (PDF)
- 23-05 application /Letter(PDF)

- 23-05 map Rutland St. (PDF)

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