



City Council

Hearings Meeting

~ Final ~

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

Gladys Oyola-Lopez

Monday, May 22, 2023

7:00 PM

Springfield City Hall -- Council Chambers

Hearings

7:00 PM Meeting called to order on May 22, 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	7:20 PM
Maria Perez		Absent	
Tracye Whitfield	At Large City Councilor	Absent	
Zaida Govan	Ward 8 City Councilor	Remote	
Timothy C. Allen	Ward 7 Councilor	Present	
Malo Brown	Ward 4 Councilor	Remote	
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	7:30 PM
Victor Davila	Ward 6 Councilor	Present	
Jesse Lederman	President	Present	

Moment of Silence - Pledge of Allegiance

Petitions

1. Petition (ID # 7417)

Comcast- Page Blvd.

COMMENTS - Current Meeting:

Hector Velez, COS Engineer, spoke on the item:

354 OF 4 INCH CONDUIT INSTALLATION FOR SERVICE AT 179 PAGE BLVD.

ATTACHMENTS:

- COMCAST REPORT -Page Blvd. -Shaws Ln (PDF)
- Page Blvd to Shaws Lane Comcast Proposed Route (PDF)
- Page Blvd to Shaws Lane Construction Details (PDF)
- Page blvd to Shaws Lane petition-Springfield (PDF)
- Page Blvd to Shaws Lane (PDF)

RESULT: **ADOPTED [9 TO 0]**
AYES: Walsh, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Davila, Lederman
ABSENT: Maria Perez, Tracye Whitfield
AWAY: Michael A. Fenton, Sean Curran

2. Petition (ID # 7418)

Comcast- Hendee Street

COMMENTS - Current Meeting:

Hector Velez, COS Engineer, spoke on the item:

300 FEET OF CONDUIT FOR SERVICE ON 271 PAGE BLVD.

ATTACHMENTS:

- Page Blvd to Hendee St (PDF)
- Page Blvd to Hendee St petition-Springfield (PDF)
- Page Blvd to Hendee St Construction Details (PDF)
- Page Blvd to Hendee St Comcast Proposed Route (PDF)
- COMCAST REPORT - Hendee Street (PDF)

RESULT: **ADOPTED [9 TO 0]**
AYES: Walsh, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Davila, Lederman
ABSENT: Maria Perez, Tracye Whitfield
AWAY: Michael A. Fenton, Sean Curran

3. Petition (ID # 7419)

Eversource- Walnut Street

COMMENTS - Current Meeting:

Hector Velez, COS Engineer, spoke on the item:

EVERSOURCE IMPROVE SERVICE - 555 FEET O 5 INCH CONDUIT IN THE AREA.

ATTACHMENTS:

- 11758677 Walnut St SPFLD Sketch 2 (PDF)
- 11758677 Walnut St SPFLD Sketch (PDF)
- 11758677 Walnut St SPFLD UG Order (PDF)
- 11758677 Walnut St SPFLD UG Petition (PDF)
- Walnut St. Report (PDF)

RESULT: **ADOPTED [11 TO 0]**
AYES: Walsh, Fenton, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman
ABSENT: Maria Perez, Tracye Whitfield

4. Petition (ID # 7420)

Eversource Gas- DwightStreet

COMMENTS - Current Meeting:

Hector Velez, COS Engineer, spoke on the item:

EVERSOURCE REPLACING GAS HYDRANTS AROUND DOWNTOWN. LOW TO MEDIUM PRESSURE.

ATTACHMENTS:

- Report Dwight St. (PDF)
- DWIGHT ST FPO (PDF)
- Dwight St - Springfield City Council Letter (PDF)

RESULT: ADOPTED [11 TO 0]

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

ABSENT: Maria Perez, Tracye Whitfield

Special Permits

5. Special Permit (ID # 7360)

For a Special Permit for Motor Vehicle Sales at the Property Known as 797 Berkshire Avenue (01340-0402) (12525-0080) (Book#16569/Page#0463), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 4, Table 4-4, Section 12.1.

Request:	See Above
Owner:	Springfield Auto & Truck, Inc.
By:	Michael Martone
Petitioner:	Springfield Auto & Truck, Inc.
By:	Michael Martone

COMMENTS - Current Meeting:

Michael Martone, 797 Berkshire Ave, spoke as the petitioner in favor of the special permit.

Noted that they met with the IOCC and received a letter of support and has the sufficient space for sales.

Curio Nataloni, owns a business on 1045 Boston Road and supports Mr. Martone this evening because of the strong business rapport they share.

Councilor Allen asked for specifics regarding the special permit. Mr. Martone currently has the business license at another address but has to apply for a special permit to run the business at a new address.

Councilor Govan noted that there was a site visit with neighbors and noted that the IOCC voted to support the special permit.

Councilor Davila noted that page 44 of the site plan review had a typo 979 Berkshire Ave and should be changed.

ATTACHMENTS:

- Berkshire_Ave_797_Tax_Formal (PDF)
- Berkshire_Ave_797_2023 (PDF)

RESULT: ADOPTED [11 TO 0]

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

ABSENT: Maria Perez, Tracie Whitfield

Reasons -Item # 5

Councilor Fenton read the reasons into the record. Councilors Perez and Whitfield were absent:

Walsh - Yes

Fenton - Yes

Govan - Yes

Allen - Yes

Brown - Yes

Hurst - Yes

Click-Bruce - Yes

Edwards - Yes

Curran - Yes

Davila - Yes

Lederman - Yes

6. Special Permit (ID # 7361)

For a Special Permit for an Accessory Wall Sign, Above the First Floor, at the Property Known as 1021 Boston Road (01655-0570) (Book#24261/Page#189), as Authorized by M.G.L. and the Springfield Zoning Ordinance Article 9, Section 9.8.17.

Request:	See Above
Owner:	Springfield Storage Investors
By:	Jason Sommer
Petitioner:	Springfield Storage Investors
By:	Jason Sommer

COMMENTS - Current Meeting:

Christopher Ram (Contractor), 125 Sandy Barnett Blvd, New Bedford, MA spoke on the special permit. He noted that the request for to allow for better visibility.

Councilor Allen asked if the new building on Boston Road is where the sign will be going up and asked the height of the building.

Phil Dromey said that the location of the sign is the storage property on Boston Road. Former used car dealer.

Councilor Davila asked for clarification on the height of the building. He also asked if the proposed signage which is "illuminated channel lettering" would possibly cause a traffic issue. Stated that this particular location is the sight for many traffic incidents.

Mr.Dromey noted that he doesn't believe the sign would cause a traffic issue.

Councilor Fenton asked if the site was across from 5 Mile Pond. The representative for the petitioner noted that yes.

Councilor Fenton noted that he would be voting against the special permit because it would be across from 5 Mile Pond, and internally lit.

Votes are nor sufficient. Permit fails.

ATTACHMENTS:

- Boston_Rd_1021_Tax_Formal (PDF)
- Boston_Rd_1021_2023_Revised (PDF)

RESULT:	DEFEATED [8 TO 3]
AYES:	Walsh, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Lederman
NAYS:	Michael A. Fenton, Sean Curran, Victor Davila
ABSENT:	Maria Perez, Tracye Whitfield

Reasons - Item # 6

Councilor Fenton read the reasons into the record. Councilors Perez and Whitfield were absent:

Walsh - Yes

Fenton - Yes

Govan - No

Allen - Yes

Brown - Yes

Hurst - Yes

Click-Bruce - Yes

Edwards - Yes

Curran - Yes

Davila - Yes

Lederman - Yes

7. Special Permit (ID # 7364)

For a Special Permit to Operate an Indoor Place of Amusement, at the Property Known as 1331 Main Street (08130-0554) (Book#13943/Page#297), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 17.2 (1).

Request:	See Above
Owner:	GELW Mass, LLC
By:	Roger Roberge
Petitioner:	Nilka J. Correa
By:	Nilka J. Correa

COMMENTS - Current Meeting:

Nilka Correa of 37 Alendale Street, spoke as a the petitioner in support of the item:

Walter Torres of 37 Alendale Street, petitioners husband. Spoke in support of the item and noted that it would be the first business in Western Massachusetts to offer this type of indoor amusement.

Samalid Hogan, Latino Community Development Corp., she spoke in favor of Nilka Correa as an applicant.

Gerry Martin, 34 Oregon Street, spoke in favor of the Special Permit.

Councilor Hurst asked for details on what types of items would be "smashed" and what type of tools would be used. Computers, scanners and desks to smash and destroy. A variety of tools will be provided, sledge hammers, bats etc.

Councilor Govan asked about what resources can be shared for individuals who may go frequently and may need additional help. The proponent noted that she and her business would provide resources to the community.

Councilor Davila asked how the business would get items to be destroyed. How will the tools that you allow people to use for the "smashing" will not leave the property/business. Also, what system will be in place to ensure that the hammers and bats do not leave the premises.

Ms. Correa said she would be attaining items from thrift stores and via donations. She noted that there would be a system to secure and sanitize items and ensure that the bats and hammers are returned.

Councilor Walsh asked for details as she is unfamiliar with the process.

Ms. Correa explained how the business would operate including age limits, waivers etc.

Councilor Fenton asked what floor it would be on and if the landlord was aware of the space usage. Wanted to confirm that there were no firearms used.

Councilor Govan asked how will the destroyed items be discarded. Ms. Correa will be using a dumpster and has informed her contractor.

Councilor Click-Bruce asked about security. Ms. Correa noted that there will be security, waivers signed, ID checks and cameras throughout.

Councilor Allen asked Phil Dromey if there is anything else that would be needed for this type of business. Mr. Dromey said not that he is aware of. Aside from a business certificate and a special permit Mr. Dromey did not believe that

Councilor Allen made a motion to continue the item. Councilor Walsh seconded the motion to committee. Councilor Davila noted that he is comfortable with the

Ms. Hogan noted that the analysis stated that the AQCA was notified on May 8, 2023.

A vote was taken to continue the item. The motion to continue was voted down.

ATTACHMENTS:

- Main_St_1331_Tax_Formal (PDF)
- Main_St_1331_2023 (PDF)

RESULT:	ADOPTED [11 TO 0]
AYES:	Walsh, Fenton, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman
ABSENT:	Maria Perez, Tracye Whitfield

Motion to Continue

Motion was made by Councilor Allen to continue the Item and seconded by Councilor Walsh. Councilors Perez and Whitfield were absent.

Councilor Davila supports the motion to send to committee.

Councilor Hurst asked Ms. Correa if it would be a problem for this to be continued, and she stated that it would hinder her opening date.

Walsh - Yes

Fenton - No

Govan - No

Allen - Yes

Brown - No

Hurst - No

Click-Bruce - No

Edwards - No

Curran - No

Davila - Yes

Lederman - No

Motion to Continue fails.

Reasons - Item # 7

Councilor Fenton read the reasons into the record. Councilors Perez and Whitfield were absent:

Walsh - Yes

Fenton - Yes

Govan - Yes

Allen - Yes

Brown - Yes

Hurst - Yes

Click-Bruce - Yes

Edwards - Yes

Curran - Yes

Davila - Yes

Lederman - Yes

Zone Changes

8. Zoning Change (ID # 7314)

To Change the Zoning of the Properties Known as 1685 Boston Road (01655-0415), 1655 Boston Road (01655-0425), 1719 Boston Road (01655-0405) and NS Fernbank Road (05070-0060), by Removing the Properties from the Regional Shopping Center Overlay District (Article 8, Section 8.4).

PETITIONER: Eastfield Mall Associate's, LLC, 1685 Boston Road, LLC and Boston Road Retail, LLC

ADDRESS: 1685 Boston Road, et.al.

CHANGE REQUESTED: Removal from the Regional Shopping Center Overlay District

HISTORY:

04/10/23 City Council

04/19/23 City Planning Board **APPROVED**

COMMENTS - Current Meeting:

Seth Stratton Monarch Place in Springfield, Attorney for the petitioner, spoke in favor of the Zone Change:

Represent ONYX Crossing , LLC. The Council unanimously approved the special permit a few weeks ago, and thank you. Planning board approved the Zone Change, and here in front of the Council. Remove the regional shopping center overlay district. The anchor tenants (Macy's, Sears, JCPenny) could not be subdivided in order to compete with other businesses in the mall.

This is no longer necessary with the new development, and would slow down the process.

Planning Board supports the alteration of the properties.

ATTACHMENTS:

- 3236_1685_Boston_Rd_Formal (PDF)
- 3236_Boston_Rd_1655_2023 (PDF)
- 3236_1685_Boston_Rd_2023_PB_Report (PDF)

9. Zoning Change (ID # 7359)

Amendment Article 4, Section 4.7.114(B)(5)(Adult Use)

PETITIONER: Springfield City Council

ADDRESS: City Wide

CHANGE REQUESTED: Amendment to Article 4, Section 4.7.114(B)(5)

HISTORY:

05/01/23 City Council **APPROVED**

05/03/23 City Planning Board **APPROVED**

COMMENTS - Current Meeting:

PHIL DROMEY DEPUTY DIRECTOR OF PLANNING, SPOKE ON THE ITEM AS A PROPONENT:

THE AMENDMENT IS SPECIFICALLY FOR HOURS OF OPERATION. REFERENCES HOURS OF NO OPERATIONS BETWEEN 11PM THROUGH 8AM. IT WAS PREVIOUSLY 9PM THOUGH 8AM. WILL BE ALLOWED TO STAY OPEN UNTIL 11PM. THE CITY COUNCIL ALWAYS HAS THE AUTHORITY TO MODIFY HOURS. HOLYOKE ALLOWS INTIL 11PM, NORTHAMPTON, GARDNER AND WORCESTER ALL ALLOW OPERATIONS UNTIL 11PM.

COUNCILOR EDWARDS WAS ONE OF THE PEOPLE THAT PUSHED TO GET THE HOURS CHANGED. APPROVED 14 DISPENSARIES IN SPRINGFIELD, SOME ARE NOT OPENING. THIS IS A BOOM FOR THE ECONOMY. WANTS THE COUNCIL TO PROMOTE AND SUPPORT THIS INITIATIVE/INDUSTRY. THERE HAS BEEN NO POLICE INVOLVEMENT OR COMPLAINTS AT THE 3 MAJOR LOCATIONS IN SPRINGFIELD.

COUNCILOR FENTON ASKED MR DROMEY IF THIS IS PASSED WHAT WOULD HAPPEN TO THE ESTABLISHMENTS THAT HAVE CONDITIONS THAT STATE THAT THEY MUST CLOSE BEFORE 11PM. PHIL HAS TO DEFER TO ATTORNEY SHEA ON THE HOURS OF OPERATIONS. THINKS THE BUSINESS WOULD HAVE TO COME BACK AND AMEND. WANTS EVERYTHING TO BE FAIR FOR ALL THE BUSINESSES.

COUNCILOR EDWARDS APOLOGIZED, HE DID NOT CONSIDER COUNCILOR FENTON'S CONCERNS.

ATTORNEY SHEA IF THE APPROVAL SPECIFICALLY STATES THE 9PM HOURS, THEN THEY WOULD HAVE TO REQUEST THAT THE RESTRICTION WOULD BE REMOVED. WILL DRAFT SOMETHING THAT WOULD HANDLE THE RESTRICTIONS.

COUNCILOR DAVILA WANTED TO CONFIRM WHAT WAS PREVIOUSLY CLARIFIED. ALSO WANTED TO KNOW IF EXTENDING THE HOURS EFFECTS THE CONSUMPTION ON SIGHT. PHIL STATED THAT THERE IS NO CONSUMPTION ON SITE ANYWHERE.

COUNCILOR WALSH WANTS TO BE FAIR TO THE 3 BUSINESSES THAT HAVE THE SET RESTRICTIONS.

COUNCILOR GOVAN AGREES WITH COUNCILOR WALSH AND WOULD LIKE THE PREVIOUS BUSINESSES GRAND FATHERED IN.

COUNCILOR HURST AGREES WITH COUNCILORS WALSH AND GOVAN. ASKED MR DROMEY ABOUT DELIVERY IN RESPECTS TO ZONING. SOCIAL CONSUMPTION IS A NO UNDER THE CURRENT ORDINANCE. IT IS A POLICY DECISION. COUNCILOR HURST DOES NOT WANT TO DO THINGS PIECE MAIL.

COUNCILOR HURST MADE A MOTION TO CONTINUE THE ITEM. COUNCILOR ALLEN SECONDED THE ITEM.

COUNCILOR DAVILA ASKED ATTORNEY SHEA TO HAVE A DRAFT FOR THE NEXT MEETING ON JUNE 26TH FOR THE REQUIREMENTS BE WAIVED FOR THE PREVIOUS BUSINESSES. ASKED PLANNING TO KEEP THE 3 BUSINESSES ABREAST TO THE COMING CHANGES.

MOTION TO CONTINUE - COUNCILORS PEREZ AND WHITFIELD ARE ABSENT:

Walsh - Yes

Fenton - Yes

Govan - Yes

Allen - Yes

Brown - Away

Hurst - Yes

Click-Bruce - Yes

Edwards - Yes

Curran - Yes

Davila - Yes

Lederman - Yes

ATTACHMENTS:

- 3237_Article_4_Formal (PDF)
- 3237_Adult_Use_Article_4_2023_PB_Report (PDF)
- 3237_Article_4_Amendment_May_2023 (PDF)

RESULT: CONTINUE VOTE

Next: 6/26/2023 7:00 PM