



City Council

Hearings Meeting

~ Final ~

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

Gladys Oyola-Lopez

Monday, November 27, 2023

7:00 PM

Springfield City Hall -- Council Chambers

Hearings

7:00 PM Meeting called to order on November 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	Ward 1 City Councilor	Remote	
Tracye Whitfield	At Large City Councilor	Remote	
Zaida Govan	Ward 8 City Councilor	Remote	
Timothy C. Allen	Ward 7 Councilor	Present	
Malo Brown	Ward 4 Councilor	Present	
Justin Hurst	At Large Councilor	Remote	
Lavar Click-Bruce	Ward 5 City Councilor	Remote	
Melvin A. Edwards	Ward 3 Councilor	Present	
Sean Curran	At-Large Councilor	Remote	
Victor Davila	Ward 6 Councilor	Present	
Jesse Lederman	President	Present	

Moment of Silence - Pledge of Allegiance

Zone Change - Continued

1. Zoning Change (ID # 7424)

To Change the Zoning of a Portion of the Property Known as 710 Liberty Street (07770-0201) from Residence B and Commercial P to Business A.

PETITIONER:

Hutton ST 21, LLC

ADDRESS:

710 Liberty Street

CHANGE REQUESTED:

Residence B/Commercial P to Business A

HISTORY:

06/21/23	City Planning Board	APPROVED
07/17/23	City Council	APPROVED
08/21/23	City Council	CONTINUE VOTE

Next: 09/26/23

09/26/23 City Council CONTINUE

Next: 10/23/23

10/23/23 City Council CONTINUE

Next: 11/27/23

COMMENTS - Current Meeting:

Attorney DosSantos representing the Sampson Family spoke in support of the zone change.

Noted that the abutting parcels are zoned Business A. Dunkin, Taco Bell, ABC Glass, McDonalds, International Auto Sales. Noted the petition that was submitted to the City Council signed by over 200 residents in the streets near 710 Liberty Street.

Grimes sisters of East Longmeadow, 119 Wilbur Street in Springfield. Spoke on behalf of their father

Theresa Shea, 75 Ranney Street, spoke in support of the zoning change. Has no problems with the change from funeral home to car wash.

Attorney Seth Stratton spoke supporting the zone change as it matches the existing use.

Alondra?

Brian Santaniello, 1983 Parker Street, spoke in favor of the zone change.

Chris Quinn, Eureka Street, spoke in favor.

***** lives at 710 Liberty Street spoke in favor.

Opposition:

Mary Ellen Russell O'Brien, lives Sterling Street and owns a home on Armory Street. Ms. Russell O'Brien noted traffic concerns. Most "geographically constricted". Noted the 388-400 car a day figure that would be needed to make the car wash profitable.

Matthew Sullivan, Bedford Road resident and 51 David Street property owner. He spoke about the petitions submitted by Attorney Dos Santos. Noted that he spoke to 2 of the individuals who signed the petitions and suggested that the individuals who signed were misled as to the purpose of the petition.

James Trikas, **** address****, spoke in opposition. Noted that he has attended several meetings and has only witnessed people in opposition to the car wash.

James O'Connor, 73 and 67 David Street, spoke in opposition of the car wash. Noted his concerns on the signatures submitted.

Joseph Christofori, Longmeadow resident and Phoenix Terrace property owner, spoke in opposition of the zone change/car wash. Has no problem with the zone change but is not in favor of the car wash.

Rebuttal - Attorney Dos Santos: Mr. Sampson has been approached by several buyers and has not sold the property as it would be detrimental to the neighborhood.

John Sampson Jr, 49 Tinkham Road, he is in favor of the zone change and a minority owner.

(***** Name) 15 Pembroke Cir

Frank Erricolo 737-741 Liberty Street resident

Opposition rebuttal:

Mary Ellen Russell O'Brien asked the council to question the attorneys for the petitioner about what meetings the petitioners have attended.

Matthew Sullivan, submitted a document from Gerald Fenton and Larry Illingsworth stating that they signed petitions under false pretenses.

Time for Council Questions:

Councilor Fenton spoke on the zone change petition. Noted 8 neighborhood council meetings and the opposition he witnessed at the meetings he attended over the course of a year. Noted that this is 4th City Council meeting on this subject. Councilor Fenton noted that the petitions seemed to have been signed as far back as September and it would have been nice if the petition would have been made available to the neighborhood council so that the signors could be invited to the neighborhood council meetings. Councilor Fenton noted that the map presented by Attorney DosSantos was a Ward map not a Zone map. Councilor Fenton noted that this intersection is a busy and heavily trafficked area with 4 driveways.

Councilor Govan asked Councilor Fenton who the members of the HHNC board. It is a 5 member board, 3 members were present at the meeting in chambers.

Councilor Davila asked Ms. O'Brien and Attorney Stratton.

Councilor Perez asked if there was a traffic study done. It was noted that the question would be answered as part of the Special Permit process.

Councilor Brown asked Ms. O'Brien if the neighborhood concerns were traffic or speeding. Ms O'Brien noted that the traffic congestion was the major concern as well as the access ramps onto 291.

Councilor Whitfield noted that she lives in East Springfield and has never been invited to the meetings. She also noted that Ms. O'Brien specifically left out Mason Square and the North End and asked if there was a reason for this omission. Ms. O'Brien noted that she would try not to be insulted.

Councilor Allen asked Attorney DosSantos who did the traffic study. He asked if the number 388 was an accurate estimation of the traffic expected for the car wash.

Councilor Fenton asked for a clarification on Councilor Whitfield's questioning the remarks.

He noted that the members of the board are of the highest character and can speak

Council President Lederman noted that previous comments made by Mr. Trikas in a previous meeting but noted that he cannot police the language of those in public speak out.

Councilor Govan made a motion to close the public hearing. The motion was seconded by Councilor Perez.

Councilor Walsh noted that she has not spoken on the matter and asked to speak. She noted that the issue at hand is a business issue.

Councilor Brown asked what the hours of the business would be. Councilor Allen noted it would be 8am -8pm. Councilor Brown compared this request to a car wash that was recently approved in Ward 4.

Councilor Whitfield and Davila spoke again on the matter. They both noted their support for the zone change. Councilor Perez noted that she will be voting in favor of the Zone Change.

ATTACHMENTS:

- 710_Liberty_Street_Zone_Change_Formal (PDF)
- 3240_710_Liberty_St_2023 (PDF)
- 3240_710_Liberty_St_2023_PB_Report (PDF)

RESULT: APPROVED [10 TO 3]

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

NAYS: Michael A. Fenton, Timothy C. Allen, Sean Curran

Special Permits

2. Special Permit (ID # 7727)

For a Special Permit for a Mechanical Public Car Wash, at the Property Known as 710 Liberty Street (07770-0201) (Book# 20067/Page# 143), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 12.3(2).

Request:	See Above
Owner:	Tinkham Glen Realty, LLC
By:	Antonio Dos Santos, Esquire
Petitioner:	Hutton ST 21, LLC
By:	Seth Stratton, Esquire

COMMENTS - Current Meeting:

Attorney Seth Stratton, 1 Monarch Place, spoke in support of the Special Permit.

Councilor Fenton asked if Attorney Stratton would be willing to give up some of his time in order for the Council to be able to ask questions about the conditions.

Attorney Stratton acquiesced and gave a brief explanation as to the members present to be able to answer questions.

Councilor Fenton thanked the attorneys representing the petitioners. He reiterated some of the conditions that were included in the special permit application. He also asked about the signage

Jason , Stonefield... New Jersey. He noted that Sullivan Street would not be used. The sign would be internally lit. Mr. Fenton asked if they would be opposed to the type of lighting

Cody Moore spoke about the signage and noted the signs can be turned off manually if necessary.

Councilor Allen asked how many facilities Mod Wash owns and noted his concerns regarding the safety. He specifically noted a 35 car an hour expected traffic. He also asked how the property compares in relation to other car washes.

Dan **** is the General Manager of Mod Wash. He spoke about the logistics of the car wash traffic.

John Harter, traffic specialist, noted that the petitioner used ITE to project the # of trips projected. Compared the peak hours of the neighboring businesses and noted he expects it to be a lower generator of traffic.

Councilor Govan and Councilor Davila spoke again. He asked about the hours and proposed construction date. Councilor Davila asked for the rendering to be displayed so he can ask additional questions.

Councilor Whitfield asked how many jobs would be created. She noted the clean and green energy efficiency on the website.

ATTACHMENTS:

- Liberty_St_710_Tax_Formal (PDF)

- Liberty_St_710_2023 (PDF)

RESULT:	ADOPTED [10 TO 3]
AYES:	Walsh, Perez, Whitfield, Govan, Brown, Hurst, Click-Bruce, Edwards, Davila, Lederman
NAYS:	Michael A. Fenton, Timothy C. Allen, Sean Curran

3. Special Permit (ID # 7686)

For a Special Permit Motor Vehicle Service (Auto Glass Repair) at the Properties Known as 1626 Bay Street (01085-0207) (Book#15055/Page#0302) and NS Bay Street (01085-0203, 0204, 0205 & 0206) (Book#15055/Page#0302), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article 4, Table 4-4, Section 12.3(3).

Request:	See Above
Owner:	1626 Bay Street, LLC
By:	Frank Fitzgerald
Petitioner:	ANG Glass, LLC - d/b/a Auto Glass
	Now
By:	Jeannette Lucas

COMMENTS - Current Meeting:

Attorney Seth Stratton spoke in favor of the special permit.

Daniel Roy owner of the ABC Glass spoke in support of the special permit.

Councilor Brown noted his support for the special permit.

ATTACHMENTS:

- Bay_St_1626_Tax_Formal (PDF)
- Bay_St_1626_2023 (PDF)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Victor Davila, Ward 6 Councilor
SECONDER:	Tracye Whitfield, At Large City Councilor
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman

4. Special Permit (ID # 7687)

To Amend an Existing Special Permit (Ground Mounted Wireless Telecommunications Facility), Granted November 2001 and Amended March 2009, by Allowing an Increase in Height, at the Property Known as 1889 Wilbraham Road (12282-0621) (Book#06341/Page#0508), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article 6, Section 6.1 and Article 4, Table 4-4, Section 15.2.

Request:	See Above
Owner:	C&W Real Estate Company, LLC
By:	Fran Cataldo
Petitioner:	New Cingular Wireless PCS, LLC
By:	David Walsh

COMMENTS - Current Meeting:

David Walsh, North Belricca, spoke in support of the special permit.

Councilor Fenton asked if there was a visual representation of the impact if there was a change.

Councilor Fenton asked if the petitioner before any neighborhood council?

ATTACHMENTS:

- Wilbraham_Rd_1889_Tax_Formal(PDF)
- Wilbraham_Rd_1889_2023 (PDF)

RESULT:	CONTINUE VOTE [UNANIMOUS]	Next: 1/29/2024 7:00 PM
MOVER:	Lavar Click-Bruce, Ward 5 City Councilor	
SECONDER:	Malo Brown, Ward 4 Councilor	
AYES:	Walsh, Fenton, Perez, Whitfield, Govan, Allen, Brown, Hurst, Click-Bruce, Edwards, Curran, Davila, Lederman	

Zone Changes

5. Zoning Change (ID # 7609)

To Change the Zoning of a Portion of the Property Known as 1267 Boston Road (01655-0494), from Residence a to Business A.

PETITIONER: KA Realty Trust

ADDRESS: 1267 Boston Road

CHANGE REQUESTED: Residence A to Business A

HISTORY:

10/02/23	City Council	CONTINUE
10/16/23	City Council	APPROVED
10/18/23	City Planning Board	APPROVED

COMMENTS - Current Meeting:

Attorney Rachel Fancy, 1 Monarch Place, spoke on behalf of the petitioner.

Summarized the reasons for the zone change. Attorney Fancy noted the meeting of the petitioner and the neighborhood council.

Councilor Fenton asked Councilor Govan who the members of the IOCC are and when the meeting was held. Councilor Govan gave a brief summary.

ATTACHMENTS:

- 3241_1267_Boston_Rd_Formal (PDF)
- 3141_1267_Boston_Road_2023 (PDF)
- 3241_1267_Boston_Rd_2023_PB_Report (PDF)

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

6. Zoning Change (ID # 7665)

To Change the Zoning of the Property Known 93 (A.K.A. 97) Wilbraham Road (12282-0999) from Business a to Business B

PETITIONER: Leonardo M Jimenez

ADDRESS: 93 (a.k.a. 97) Wilbraham Road

CHANGE REQUESTED: Business A to Business B

HISTORY:

10/16/23 City Council APPROVED

10/18/23 City Planning Board APPROVED

COMMENTS - Current Meeting:

Leonardo Jimenez, 93 a.k.a. 97 Wilbraham Rd, spoke in favor of the zone change.

Councilor Davila asked for further information. Mr. Dromey provided explanation on the Zone Change

Councilor Brown noted that the business has been before the council before and the neighborhood is in favor of the zone change. The zone change would help the petitioner operate his business within the rules

ATTACHMENTS:

- 3242_93_Wilbraham_Rd_Formal (PDF)
- 3142_93_Wilbraham_Road_2023 (PDF)
- 3242_93_Wilbraham_Rd_2023_RB_Report (PDF)

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