

NoPornNorthampton.org

An Open Letter to Residents Living Near Apremont Triangle

Dear Fellow Citizens,

NoPornNorthampton is a citizens' group formed in mid-2006 to improve the regulation of adult businesses in Northampton, MA. We were particularly concerned about Capital Video's plans to locate an Amazing.net porn shop at 135 King Street in Northampton. Newspapers and police had reported that an Amazing.net shop in Kittery, Maine had become a magnet for unsafe sex. Used condoms and other offensive trash littered its surroundings.

More recently, we have heard that an Amazing.net shop has been problematic in Apremont Triangle. In January, Urban Compass, a weblog at the Valley Advocate, reported that Police Commissioner Edward Flynn was considering calling for a License Commission violation hearing. To be considered were "five counts of illegal activity including drug sales on or near the premises and lewd activity."

In March, Urban Compass discussed how Amazing.net was discouraging sought-after businesses from locating in Apremont Triangle, notably grocery stores. Developer Fred Rowe is quoted as saying, "The [potential grocery] market is really the key, we think, to the whole building. The people that come, the market operator—their issue is number one, the Video Expo [Amazing.net] across the street, and the crowd that you see around it..."

The developers go on to express their frustration, and that of the community, with prostitution in the vicinity of Amazing.net and an apparent lack of urgent concern among city officials:

[Dianne Little:] ...Amazing.net...was called up on charges, a number of things, and it was supposed to go before the License Commission. We were all ready to go. Then it got postponed... We have a pretty good network in the neighborhood of people who hear what's going on. "When is that coming up?" You know? "Why aren't they closed down?" Nobody knows why.

[Fred Rowe:] Outside, we have both male and female prostitutes standing across the street, by our building, and we have a vacant lot that we use for parking. They stand there, and they wait for [customers] to come out, and they solicit them, and they try to take them out behind our building, and do their business. It's unbelievable.

[Dianne Little:] And this is all two blocks from the police station. I call that blatant. When you're trying to develop a nice neighborhood, rent a nice building, and you have to walk through a couple hookers to get in the door, or you're afraid you're going to be solicited on the way out...

[Fred Rowe:] [Developer Leon Charkoudian] points out, all the time, different areas of Boston that were like this, different areas of New York that were like this, and have had a renaissance and have become beautiful places that people want to go. We do think that can happen.

All of the above information can be found at our blog, www.NoPornNorthampton.org, in the Capital Video Corporation category. We have been researching these issues for months. There are a number of actions Springfield can take to improve the situation, beyond more rigorous policing of the area. These include:

1. Pass viewing booth health regulations, including removing the doors from the booths. This simple legislation, upheld by the courts, significantly improved conditions around the Amazing.net shop in Kittery, Maine. Model regulations are provided at **www.NoPornNorthampton.org** (see the Welcome box on the home page). Call Springfield Mayor Charles Ryan at 413-787-6000 and urge him to support these regulations, or mail him the enclosed postcard.

2. Shut down the Springfield Amazing.net shop as a public nuisance. It is illegal under Massachusetts law for a building to be used for “prostitution, assignation or lewdness”. The alleged drug sales and the fact that Amazing.net is clearly an obstacle to the revitalization of Apremont Triangle also support its closure. Call Springfield Police Commissioner Edward Flynn at 413-787-6313 and urge him to consider this step. Private citizens, such as homeowners and real estate developers, can also file nuisance claims even if the city fails to act. These strategies are detailed at:

<http://nopornnorthampton.org/2006/12/12/potential-nuisance-claims-against-capital-video.aspx>

3. Pass improved adult-use zoning regulations for Springfield. We would suggest laws that require adult enterprises to be located at least 500-1000 feet away from homes, schools, houses of worship, and other locations where children are likely to be found. Existing adult enterprises, such as the Amazing.net shop, can be compelled to move within a specified period of time, such as 1-5 years (this is called “amortization”). Examples of these laws, which have been upheld by the courts as consistent with the First Amendment, can be found on the home page of **www.NoPornNorthampton.org**. Call on Mayor Ryan to support this legislation, 413-787-6000.

4. Encourage local media to cover these issues more closely. While Urban Compass has done a great job of reporting on the problems at Apremont Triangle, other media, most notably the Springfield Republican, could do better. In the 1980s, Oklahoma City was staggering under 150+ adult enterprises and the associated crime and prostitution. However, concerned citizens, working with police and elected officials, and with local media paying close attention, were able to reclaim their city by the end of the decade. Call The Republican newsroom at 413-788-1200 and urge them to give these issues greater coverage.

5. Visit NoPornNorthampton.org for more information about how to reduce the problems caused by adult enterprises. Many other cities have confronted, and solved, the same kinds of problems now being experienced in Apremont Triangle. Your city officials are here to serve you. Ask them to take concrete, legal steps to give you the safe, prosperous neighborhood you deserve.

Sincerely,

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