



City of Westfield

PLANNING BOARD
Philip McEwan
Peter Fiordalice, Vice Chair
William Carellas
Robert Goyette, Jr.
Jane Magarian
Carl Vincent
Cheryl Crowe, Associate
Raymond St. Hilaire, Associate

May 3, 2016

In the absence of Chairman McEwan Vice-Chair Fiordalice called the regular meeting of the Westfield Planning Board to order at 7:00 pm in the City Council Chambers, 59 Court Street, Westfield, MA.

PB MEMBERS PRESENT
 MEMBERS ABSENT

STAFF

Philip McEwan, Chair
 Peter Fiordalice, Vice Chair
 William Carellas
 Robert Goyette, Jr.
 Jane Magarian
 Carl Vincent
 Raymond St. Hilaire (Associate)
 Cheryl Crowe (Associate)

Jay Vinskey, Principal Planner
 Christine Fedora, Secretary

A. **PUBLIC PARTICIPATION**

Vice-Chair Fiordalice asked if there was anyone in the room who would like to address the Board during the public participation portion of the meeting regarding items not currently before the Board?

There being no one heard the Board proceeded to their next item on the agenda.

B. **REVIEW AND APPROVAL OF PREVIOUS MINUTES**

Magarian MOTIONED, seconded by Crowe to approve the Minutes of April 19, 2016. AIF

C. **Review of "Approval Not Required" Plans**

Vice Chair Fiordalice conducted the ANR's.

Montgomery Road ~ William Reed Trustee

The Board voted unanimously to endorse the plan & requested planner Vinskey send a letter to Mr. Reed describing land preservation alternatives to development.

Prior to opening the Public Hearings Fiordalice stated there are 6 members present to vote.

D. **Posted Public Hearings (and possible deliberation & decision)**

- Continuation – Special Permit/Site Plan/Stormwater – 100 Airport Road (Barnes Airport- new hangar Robert Levesque of R. Levesque Associates addressed the Board requesting his client be allowed to withdraw without prejudice noting there have been changes in the ownership of Westfield Aviation. Vinskey asked that he submit a written request for the files. Levesque replied he would submit a letter tomorrow. Magarian MOTIONED, seconded by Crowe to allow the request for a withdrawal without prejudice. AIF

- Continuation (without prior discussion) – Special Permit – Open Space Community (6 lots) – 403 West Rd.

Representing the petitioner was Robert Levesque. The applicant is Mark Strasfeld. The parcel in question of 403 West Road 45R-1, the parcel contains 73.87 acres off West Road and is located next to the Montgomery,

Westfield line. Levesque informed the room they are proposing an open space subdivision and explained what they are proposing to do. The plan is to protect about 75% of the property by reducing the frontages, he explained the reason for this is they are planning on selling lot # 1 on the plan, their neighbors want to build a house for their relatives, that is the goal of this application. When they initially looked at it they didn't have enough frontage on, not contiguous frontage. They have met with the planner and looked at their options, noting variance was not an option. Levesque added they looked at it as an open space which would not require a new road, all of the frontages would be located on West Road and is all existing as of now they could do 3 lots. He ran the calculations under the subdivision rules and regulations and with a conventional approach they could get 7 lots and under the an open space calculations there could be about 35 lots. He distributed a 7-lot layout plan. He noted the intent currently is to create the initial lot in order to do that they have to give away the open space, there are no plans to develop the back portion of the lots, consistent with open space subdivision which he believes they are meeting by having the contiguous open space and they will be condensing the development to the front of the lots with the ANR's.

Fiordalice asked if there were any questions board members? Magarian asked if there are any plans to sell the other lots? Levesque informed her currently it is a horse farm.

Carellas reviewed the conventional conceptual plan as presented by Levesque noting it shows a basic 1000 foot cul-de-sac, could do 7 lots easily. Open space more sense, he then asked if there is a proposal for lot 4 currently? Rob no, not currently. Carellas asked if at some time in the future they would be putting a road in there? Levesque informed him according to the open space regulations you cannot put a road in.

Peter other examples? Jay handful usually developed as part of new road allows smaller lots less road and more open space in the back. Rob noted he did one for Mr. Bannish on Pontoosic.

Fiordalice informed the Board there were a couple of letters the attached letter was made part of the record but not read into the record.

William & Nancy Amanti March 29, 2016

351 West Road

Westfield, MA

RE: 403 West Road Special Permit Application # 3-29

Dear Planning Board Members,

By way of introduction, my wife Nancy Amanti and I are the owners of the 351 West Road properties abutting the 403 rural residential properties currently being considered for a Special Permit for the creation of an Open Space Community. As such, we would be the property owners most affected by this proposal; therefore, we have questions and concerns that we would like to present to the Board.

Nancy and I are currently traveling outside of Massachusetts and deeply regret that we are unable to attend the April 5th meeting, however, Att. Mark Beglane from Bacon/Wilson Law firm will represent us and will address some of our immediate concerns.

Questions and Concerns:

1) On the first page of the 'Narrative Addendum', the property description erroneously explains, "The subject property is zoned "Rural Residential" and has frontage on West Road along its eastern boundary; to the north, south, and west, the property is abutted by wooded residential lots." Our home is located directly north of the subject property with no buffer along our mutual property line. The "wooded area" of our property does not begin until well past the stated "farm buildings" therefore there would be a significant impact to the "rural" nature of our property.

2) We are puzzled as to how the applicant is able to determine appropriate room for 6 building lots in the allotted space. In reading Article V section 5-60-3 regarding 'Dimensional and Density Requirements' our interpretation is that the overall density of the development should be no greater than what is normally allowed in the underlying zoning district. We have not been able to find anywhere in the application how 6

building lots have been calculated.

3) Additionally noted in 5-60-3 is that the Planning Board, at their discretion, can require the applicant to prove via a preliminary subdivision plan that their conventional lots are actually buildable with adequate sewer and water services and con com approval. We would appreciate verification that it is possible to get 6 building lots with adequate septic and water (via a conventional preliminary plan) with no impact to our own wells/septic system or that of our existing neighbors. We have not been able to verify this information (in the application) regarding adequacy of septic facilities for these prospective lots and we have some confusion as to the square footage of the proposed lots especially in relation to water issues.

Again, according to Section 5-60-3, the lots can only be reduced to 40,000 sf if the proposal includes on-site water and septic, unless it's a shared septic system.

Please note that our general area is noted for high groundwater and numerous failed septic systems. We understand that there is a moratorium on water hookups in our area, thus, no allowable town water.

4) Currently the applicant is proposing 20,000 sf lots, which is confusing given the 5-60-3 regulations. Specifically, we would like to know if 20,000 sf lots are allowed per current zoning. We would be disappointed if this proposal is attempting to use this zoning to create smaller ANR lots, instead of a typical open space subdivision.

We have great respect for the intent of the Open Space Community law. We fully understand its objective which is to preserve views of open space from both existing city roads and from within the development. However, though the new homes will have views of the open space, the density of these 6 homes will block the existing view from West Road.

Once again, we would respectfully request the Board to require the applicant to submit a preliminary subdivision plan. Otherwise, once a developer gets the lots approved, he essentially can build on them without providing any information to the Board on how storm water will be handled, what is being proposed for water and sewer, what the home designs look like, landscaping, screening. The 6 homes will add a lot of impervious area and no information on how this increase in runoff will be provided.

Thank you for this opportunity to air our questions and concerns. We would welcome any questions you may have of us and look forward to meeting you all in the future.

Regards,

William and Nancy Amanti
413-530-1003

From: Nancy Amanti

To: j.vinskey@cityofwestfield.org; philip.mcewan@cityofwestfield.org; peter.fiordalice@cityofwestfield.org; william.carellas@cityofwestfield.org; jane.magarian@cityofwestfield.org; carl.vincent@cityofwestfield.org; raymond.hilaire@cityofwestfield.org; cheryl.crowe@cityofwestfield.org

Cc: Amanti Bill; Mark J. Beglane

Subject: April 5th Meeting: Special Permit to create 6 lots

Date: Friday, April 01, 2016 5:29:24 PM

Attachments: [Letter to Planning Board 3-29-16.doc](#)
[att09467.htm](#)

To Principal Planner Vinskey and Westfield Planning Board Members:

We have recently received notification of a Public Hearing on April 5, 2016 at 7 PM on an application submitted by Mark and Evelyn Strasfield for a Special Permit to create 6 lots, pursuant to Section 5-60 of the Zoning Ordinance. Our home is located directly north of the subject property with no buffer along our mutual property line.

Unfortunately we are traveling and regret that we are unable to attend Tuesday evening's meeting, however, we will be represented by Mark Beglane. Our specific questions and concerns are expressed in the attached letter.

Thank you for your consideration and we look forward to meeting you at any subsequent meetings.

Regards,

Bill and Nancy Amanti

351 West Road

413-530-4433 (Bill)

413-530-1003 (Nancy)

Atty Begley representing the Amanti's. Felt this is an attempt to bastardize the ANR process, this should be an ANR. He felt this is not the intent of the open space ordinance. The intent of the open space is to preserve, here using existing road and put as many lots on an existing road.

He then proceeded to read section Art 5- 560 into the record. Atty Beglane felt if this is allowed they will be blocking the view of the Amanti's. He also noted all the lots will not have access to the open space.

Fiordalice asked Mr. Beglane to wait until the Planning Board members had completed their question and answer sections.

Magarian asked if the whole area was owned by Strasfeld's?

Mark Strasfeld explained how the lots were carved out. Magarian asked if the original lot had been split into 3 lots? Yes.

Strasfeld asked about blocking the view? Have enough for 3 lots already, asking additional 2 lots in front giving up 56 acres of land getting a lot that developing and other lots and frontage, working farm no intention of selling it, even if decide to sell will add value to it, still can be houses built there even without open space thing. Magarian asked if have 5 building lots there one year 25 years will be a house on those lots. Strasfeld informed her currently they have 3 lots there, additional 2 lots on that piece with other lot on side. Jane asking for 5 lots instead of 3? Strasfeld replied yes but they would also be giving up the open space.

Rob value of property possible agricultural and endangered could look at APR here as well to protect the property, now no plans active farming option here. Rob intent of ordinance 75 acres open space, no new roadway exact intent of open space, could have 3 lots now, getting open space in tern for those lots. Mark whole intent one lot has 113 . Rob open space allows reduce frontage which allows more lots.

Fiordalice asked if there were any more questions?

Carellas asked if the Board could approve 113 frontage for lot 1 not approve other 5, and then do a land conservation at that point of time, still conserving land? Levesque replied that would be no benefit for them they already can get 3 lots, probably wouldn't agree to. Now communicating endangered species, will be asking for continuance, will communicate with planner about solutions, if have solution more comfortable will try to help them. Maybe solution to help them out.

Strasfeld noted that if this does not get approved he will have to sell one of the lots in the front to recoup some of his money, so abutters should know that too, could be a worst alternative as well.

If questions please address to board.

Nancy Amanti

351 west road

Reading article 5, confused talking about 6 building lots, density should be no greater than allowed in underlying zoning district, how 6 building lots calculated, additionally questions as to whether Planning Board considered Mr. Vinskey's questions, as well as the water table and septics in the area?

Rob calculated about .79 acres wetland, 16.9 slopes, about 25 acres of non-developable land, take that out about 48 acres developable land divided by 60,000 s.f. lot requirement and came up with 35 lots, also provisions for regulations talk about reducing by 20% and calculating that number also showed the

conventional plan that could yield the 7 lots in the 11 x 17 plan. Calculations for number of lots could cross wetlands and do a lot of theory things, showed minimum. He anticipated a portion property will have seasonal high ground water as well, confident may be mounted septic systems; have to meet all title v standards.

Mrs. Amanti felt that Mr. Lévesque was sounding cavalier, noting they were the original owners of property and they know how difficult to get perk tests done, land next to them originally not difficult. She also questioned whether the Planning Board was going to require a preliminary subdivision plan, fear once approved he can build on them without providing information regarding storm drainage landscaping, screening, hoping that will all have read planner's letter, not opposed to building, like to make sure that homes that are established there will not be negatively impacted by this, she asked the Planning Board to consider all ramifications before decision. Fiordalice asked if members had an opportunity to read the comments by planner?

Carrellas asked if the water runoff slopes towards house not? No, water runoff does not go towards house. Mr. Amanti felt the Strasfeld's have done a wonderful job, made nice area, created 2 barns, one with apartment renting, a lot of stuff going on there, no issues on lot 1, putting housing in there, 2 small lots or 4 small lots around West Road to get most they can get out of their property, is ok. All had septic problems, high water tables. Wells and septic systems. If had one house on those 2 lots and another house on 5 & 6, instead of putting 6 lots, 3 no problems with that would be consistent with property there, creating 4 small lots is going to be real problem for anyone putting a house in there, doesn't make sense at all put little houses, there, inconsistent.

Magarian asked if there would be a problem with 1 being developed? The Amanti's felt that 2 houses would be inconsistent with the area.

In favor?
Opposed?

Beglane -Don't think meets requirements of section 5.601 he reiterated his feelings he spoke of earlier. He further added that all the residence won't have access to the open space.

Additionally open to the public, across lot 4 or 1 to get there, no access public open space.

Additionally design provisions 5-604 2 end they are maximizing driveways instead of minimizing.

Lot 1 no big problem currently buffer there, want to have buffers if have houses right next to them. Want permanent buffering.

Wetland regulations, septic require certain amount of s.f. per bedroom, need 40,000 s.f. well would need.

Doesn't seem to fit requirements of open space community, don't know if crosses area where wetlands is. 5,000 s.f. issue.

Stretching intent of by-law to cover subdivisions, intent instead of big lots, open space to allow people in the community to use.

Opposed?

Rob asking for continuation, hope to communicate with the Amanti's to get plan that will work, think meet requirements of the Open Space to a T, don't know if will hit everything, feels meet intent of special permit, goal of project as proposed. Planner creative and came in and talked, didn't say could or couldn't do. Creative option good solution for them, good solution open space, doesn't affect abutters, hope to work out.

Board like to see? Jane like to see what come up with when speak to Amanti's. Magarian MOTIONED, seconded by Carrellas to continue May 17, AIF.

402-410 Southampton Road

Brad Moir

Bob Goyette recused himself as an abutter and left the room.

Five voting members tonight. Representing the petitioner was Attorney Brad Moir. Mr. Moir informed the Board the building involved was known as D C Cycle on Southampton Road, which sold motor cycles, ATV's.

Moir informed the Board the property is zoned Business B and his clients plans are to run a tire store, install, auto repairs and services, general repair special permit, also permit from the council to sell, idea to sell or repair. He also noted they are proposing to change the building 2 bays now, 10 x 10 like 2 more bays, he also noted the goal is to add offices in front, used for motor vehicles sales special permit general auto repairs and service & allow to do tire business. There currently is a gravel driveway, he understands the Planning Board would like pavement. Moir indicated the plans being presented today are the bare bones and he is here to work with the Board to see what they would like. Moir indicated they will be using the existing sign.

Board?

St. Hilaire asked how long they have operated how long? Haven't done anything yet, owned since the first of the year. Moir informed the Board they are here to figure out what wanted to do, bunch of steps, used cars need Council and licensing. St. Hilaire noted he drives by all the time, looks terrible, trees in back. The applicant indicated they are trying to clean up the area. Fiordalice asked if they plan on offering inspection stickers? Not at this point. Fiordalice asked if they are offering inspection stickers? Not at this point. Fiordalice asked there will be tire repair, tire sales, services, auto sales and service and auto. Tires would be on another side. Moir informed him there would be one building with 2 separate offices. Fiordalice voiced his concerns regarding the traffic in the area increased traffic flow coming in and out especially medical facility, he felt it's a dangerous area there, hopefully be successful increase amount of traffic and Hopkins in that area.

Moir reiterated the fact he's willing to work with the Board, adding it's a work in process.

Room fact?

Maryann Babinski- Asked how many vehicles selling? Moir informed her it depends on permitted for, one side of the shop for repairing and selling as far as the number of vehicles that will be up for sale that's up to the license commission to decide. Members inquired if tractor trailers would be delivering the cars they purchase at auctions? They informed the Board there would be service trucks that would be hired.

The Board also discussed the trailers and the storage space out back, would they be screened? They informed the Board there would be some screening such as trees, landscaping.

Are there plans for oil waste batteries. Yes waste oil is returned, if purchase oil in larger bulk have them deliver and take them back. Everything part of repair have people that do this every product. Fiordalice asked if there were safety plans in place? What about oil spills? There are no drains in the building, if something spills they would use speedy dry to pick it up.

Vinskey asked the Board for their sense on paving? Carellas was in favor of paving, no outside storage, St. Hilaire was in favor of paving as well. Brad will pave, that is now a given it has to be paved. Magarian said she would like to see type of storage containers in back with a picture and how many containers? In favor?

Opposed?

Fiordalice felt there seems a lot going on here, like to see overall flow of plan, say wanted to buy used car and someone for service and tire, how flow together? Separate offices. Brad office has to be separate. Left front job flow around the building. Brad we can work on flow, front used cars will be showed, back would be bays and service for stuff.

Fiordalice asked if there were any more questions from the Board?

Carellas said he was in favor of the paving as well, but not in favor of dumpsters or storage, not in favor understand may be necessary, like greenery and sidewalk. Jane like to see striping on pavement for parking, handicapped accessible, sidewalk along road side.

Fiordalice said he would like more dimensions on plan. More to explain, Magarian said she would like to see the location of the dumpster, fence, lighting signs. Brad sign in front lit sign, will show on plan. Jane hours of operation?

Cheryl storage trailers, where? Covered up in trees. Showed area of trailers to Cheryl. Painting vehicles? No. minor work. Auction get leased car clean prepped and make sure everything good. Send out to local shops if wanted to something painted, transmissions as well will be sent out. Cheryl personal vehicles and working on vehicles coming from auction? Sometimes take them in and bring to auction. Brad auction part can only be done by council, general auto repair and service would be tune ups, front end changes, next step would be buying and selling used cars, that would be third thing, council has to give and license commission, that is why 2 separate offices.

Jane intend run auto repair business if not approved car dealership? Try to develop that later. Jane total lot size 90,000 s.f.

Bill instead of storage facilities? Maybe permanent structure? Need to get feet wet first. First see how can progress.

Moir said he would take the planners comments and those said tonight and come back and discuss.

Magarian MOTIONED to continue to May 17, 2016. AIF.

Flag lot East Mountain road

Carman Capua- Single family home on parcel restrict additional 6 plus areas as conservation, building one home on parcel.

Peter letter from bapac. Read into the record.

April 12, 2016

Dear Mr. McEwan:

I am writing to you on behalf of the Barnes Aquifer Protection Advisory Committee (BAPAC) to provide our comments regarding a proposal from Carmine Capua for constructing a house at a location referred to 0 East Mountain Road. BAPAC is composed of representatives from the four jurisdictions in which the Barnes Aquifer is located. The committee was created in 1989 to address developments of regional impact proposed within the aquifer to ensure drinking water resources remain safe for the more than 60,000 people served by the aquifer.

We understand from the presentation made to us at our April 5th meeting by Mr. Capua that the project site involves a 9.82 acre flag lot. The proposed driveways extends from East Mountain Road up a hillside where the proposed grade for the driveway is an average of 15% and proposed width is 12 feet The property will have on-site septic and a well. The Zone 2 for the Aquifer extends across part of the property.

BAP AC members expressed concern that the property is in a steeply sloping bedrock area where development could promote increased movement of water through the developed area that is downgradient of these slopes and toward the nearby town wells. Narrowing the width of the driveway and minimizing disturbance and other impervious surfaces should be key strategies to reducing these potential impacts. Furthermore, use of synthetic chemical fertilizers and pesticides for landscaping should be completely restricted.

Thank you for your consideration of our concerns and recommendations and the opportunity to comment.

Vinsky clarified to the room that normally single family homes don't go before BAPAC, the reason this was sent is because there may be a disturbance of more than an acre, application was not clear.

Magarian asked how much disturb? Jay not concrete plan look at application, says disturbance of less than 2 acres. Capua additional 5 plus acres would be a restriction, disturbing less than 40,000 s.f.. Board could make part of condition of approval, so no special permit under aquifer would be needed.

Capua over 300 feet of driveway, could wind road to become less slope of 50 feet. Fiordalice mentioned it was originally 4 acres, Capua added 4 acres unrestricted only disturb 1 acre.

Vinsky informed the Board this is a miniature version of the Board's last application, maximize open space, minimum of 50% for open space, Fiordalice asked if it meets the calculations of that? Jay about 10 acre property need 5 acres that not steeper or wetter than rest, in this case more buildable on top hard to get to. Would satisfy letter of ordinance, board needs to look at intent and value of the open space. Public access be? 50 feet that own on East Mountain Road, off of East Mountain Road. Jane how large house proposing to build? Bill 50 feet off East Mountain road? Open public? Carman did some house across East Mountain Road, intention subdivision keep 50 feet since then decided not go subdivision and use land one home instead, the 50 foot up front part of 10 acre parcel.

Room?

James Perez ~1475 East Mountain Road

Don't know where the house is going to be but he felt it's going to be right in his back yard, there front yard will be his back yard, he would like the Board to walk the property and take a look, very steep.

Don't want to see house there, don't think he has 50 feet think has less.

Question of fact?

Question board?

In favor?

Opposed?

Perez felt the only fair thing to do was to take a walk and asked if the Board would mind postponing and looking at lot, see how steep will be. All ledge. Magarian asked if there are water problems now? Yes all comes off East Mountain Road .

Carellas asked if he could have permission to walk the yard? Yes.

Carman not questioning what talking about, walked land, engineering less than 15% slope, less other houses in area. He felt Mr. Perez doesn't want anybody in his back yard, his land allowed under by law to build there, have to look at requirements. He also added the Board is welcome to walk the property as well he also added he would have to go to the Building Department to get a building permit as well.

Vinsky reminded the Board members not to get caught up in the engineering of the house itself. This is an open space community open space land - look at natural areas, preservation all that, trade off situation , otherwise it would not be suitable to build without enough frontage.

Opposed?

Questions board?

Fiordalice stated he has driven by but hasn't walked the property, he felt the Board might want to consider walking the property. Vinsky noted the Board could walk the land by themselves or as a group but they can not deliberate about the plan outside of the hearing.

Carellas MOTIONED, seconded by Hilaire to continue May 17. AIF.

Roosevelt Avenue
(Goyette returned)

Ben Hallmark

Builder in Westfield for 30 years, he would like to put 2 houses. Empty lot been there few years, catch all for everything, approached realtor made offer now in agreement with owners for buying as long as can split the lot, price lot somewhere 86,000 would have to build monster of a house, that's why want to split make more feasible if he were to build a larger home it would out price the neighborhood, wants to fit in neighborhood.

Not great big lots themselves, go with area. Both can be connected to sewer, makes ideal situation someone build house there.

Carellas asked if there would be one driveway from Roosevelt and one from Massey? Yes. Single family homes? Yes. 26 x 26 one car garage, maybe a little bit bigger. Jay house on site plan house is 48 x 29, different design shown tonight. Fiordalice asked if the shaded areas are where the driveways are? Yes. Ben houses could be flip flopped either way. Fiordalice stated he wouldn't want the driveway closer to Montgomery road. Massey driveway will stay there (west side of house). Jay infill calculation, calculations on computers as well, many other lots much smaller, plan conforms to neighborhood average. Peter houses in that neighborhood small and smaller lots.

Room fact?

Jerry Organic - Asked if both the houses have garages? Yes, now. How much would go for? Would this decrease their property values? Hallmark felt it would not, adding these houses will be sold somewhere around 230,000 each. With smaller back yards? Can't give concrete answers, example of what looking at.

Questions?

Board?

In favor?

Nathan Osowski Carol and Roosevelt - Love to see something go in there, been a dump there. Builds good houses. In favor.

Priscilla Harmon -Realtor owners happy with what proposing, complement area. Where else can you buy a house brand new for 230,000?

In favor?

Opposed?

John Roberts, 62 old feeding hills road - Don't know distance between Foch and Massey traffic on Montgomery Road, pillars to take care of telephone pole on corner, he voiced concerns regarding visibility and felt with 2 houses it would be making it a jig saw puzzle.

Opposed?

Louanne Garcia

62 Old Feeding Hills Road

Grew up Foch Avenue, voiced concerns regarding traffic as well as visibility concerns, kids getting out of school, not opposed to one house but felt 2 would be too much.

Hallmark noted original plan was to have both frontages on Roosevelt, but need some abutting land. Abutter initially agreed then changed mind.

Board?

Magarian asked if they intend to build houses or sell lots? Hallmark replied his plan is to build 2 houses now, adding it of course depends on the economy. 2 houses there neither one of the houses will obstruct the view. Hallmark explained how he tried to acquire some land from an abutter in order to gain the necessary land but that didn't work out that is why he is here doing it this way. Fiordalice stated the calculations for the averaging have been met, he inquired as to the types of houses he wishes to build? Hallmark replied he wasn't sure yet but it probably would be cape.

Carellas MOTIONED, seconded by St. Hilaire to close. All in Favor. Fiordalice read some draft findings and conditions:

Draft Findings

(1) The specific site is an appropriate location for smaller lots and single family use. (2) The use, site and

structure as developed will not adversely affect the existing residential neighborhood, similarly developed (3) Adequate and appropriate facilities will be provided for the proper operation of the use. (4) The plan, as approved, conforms to all other rules and regulations.

Further, (5) The lot's density will be equal to or greater than the average of those of at least sixty (60) percent of the lots located within that same Zoning District within a 300 foot radius of the lots' property lines. A list of all of the lot sizes corresponding to the properties required above derived from the city's Assessor's Maps, as well as the mathematical equations determining the averages of at least 60%, was filed as part of the Special Permit Application, and verified by the Board.

(6) The subject lots are not located within a Water Resource Protection Area. (7) The ordinance requires the lots be serviced by both Westfield public water and public sanitary sewer. (8) On-site parking will be provided in accordance with the zoning parking requirements as there is adequate space available for such. (9) No traffic congestion, health or safety limitations would be created by the addition of two single-family dwelling. (10) The proposed dwelling design submitted will be significantly consistent with the architectural style, scale, setbacks and character of the immediate neighborhood. (11) The adjoining neighborhood is developed with side and/or rear yards generally less than is currently prescribed.

Draft Conditions

1. Each lot shall have not less than 80.39 feet frontage, nor contain less than 0.3 acres.
2. Principal structures shall be setback at least 12 feet from the interior (proposed) lot line (whether considered a side or rear yard setback).
3. To compensate for the loss of green space, at least 2 shade trees (2.5" caliper at planting) selected from the Planning Board's tree list shall be installed and maintained on each lot, with at least one tree per lot to be located in the front yard area (trees planted in the public street right-of way, with City approval, may satisfy this requirement.)
4. This Special Permit shall have been deemed to be exercised upon the recording of a lot plan, depicting the two new lots, at the Registry of Deeds. The plan shall describe the book and page in which this Special Permit is recorded.

Additional comments?

Carellas asked if condition 1, change to 100 feet frontage, one driveway from each street? Jay driveways are required across frontage, so that is taken care of. Vinskey noted the lot layout square provision if you increase the frontage to 100 feet; you may want to say it could be 80.39 feet for lot lay out purposes and 100 for actual frontage. Vinskey stated the usual (125') frontage can be met on both lots, lot layout square is the issue here.

The Board also discussed limited the size of the homes, after discussion the Board felt that 2200 s.f. Magarian also felt the visualization should be stated in the conditions as well. Vinskey noted corner visibility is already regulated (under Section 4-60), so no need to add a condition.

Peter change number 1, to reference conformance with site plan #2.

Add number condition, house not to exceed 2200 s.f. living area.

Magarian MOTIONED, seconded by St. Hilaire to approve the special permit with Findings and Conditions as amended.

Crowe	-	Yes
St. Hilaire	-	Yes
Fiordalice	-	Yes
Carellas	-	Yes
Goyette	-	Yes
Magarian	-	Yes

Six in favor, zero opposed.

53 &56 Airport Road
Fiordalice read the notice for:

The Westfield Planning Board will conduct a Public Hearing on May 3, 2016, at 7:00 P.M. in City Council Chambers, Municipal Building, 59 Court St., Westfield, MA on the application of One Development & Construction, LLC for a Special Permit/Site Plan per Zoning Ord. Sec. 3-170.7 & 6-10 and a Stormwater Management Permit per Sec. 16-109 of the Code of Ordinances to allow for an addition to a factory building. Subject property is 53 & 56 Airport Rd. (Jarvis Surgical) and is zoned Industrial A and Water Resources.

Representing the petitioner was Rob Levesque.

Levesque informed the Board the petitioner would like to build a 15,000 s.f. addition to an existing manufacturing company it will be added to the rear of the existing structure. Now loading dock back, parking area exists now, addition to parking will be 67 spaces, parking will drain catch basin on south side and into storm water basin, will be 2 storm water basins. All the comments were addressed from BAPAC, Engineering and the Planner's. There will be no bicycle parking proposed on this property as it has provisions for bike parking in building, street trees area showed. The loading dock will now be on the east side of building, refuse areas were shown, major comments impervious services were 61%, gravel area was counted in that area.

Question?

In favor?

Joe Mitchell

2 million dollar building and 500,000 in new machinery, TIF has been approved by the Council and financing life science center, adding 15,000 s.f., they have growth, will retain 80 employees and add 15.

Opposed?

Question board?

Vinsky informed members we have the BAPACs comments and the engineer's review but we didn't get the final sign off, he informed the members he drafted conditions based on the updated plans.

Members inquired if they needed the final sign off from the Engineering Department prior to approval?

Magarian suggested it could be made as a condition. Vinsky, you cannot delegate on a matter of substance.

Magarian MOTIONED, seconded by Goyette to close the public hearing. All in Favor.

Fiordalice read some draft findings and conditions:

DRAFT Findings

After giving due consideration to the application, testimony and evidence at the public hearing relative to the Section 3-170.7 special permits for the use and conditions within the Water Resource Protection district (1) the specific site is an appropriate location for a the commercial development proposed (2) The use as developed will not adversely affect the neighborhood. (3) Adequate and appropriate facilities will be provided for the proper operation of the use (4) The plan, as approved, conforms to all other rules and regulations (5) the use is in harmony with the intent of this ordinance and water resource district and will not interfere with water resource protection (6) the use is appropriate to the natural topography, soils, drainage, vegetation and other water-related characteristics of the site, and is designed to minimize substantial disturbance of these natural site characteristics; and (7) the use will not, during construction or thereafter, adversely affect the existing or potential quality or quantity of groundwater available in this district.

In reviewing the site plan, the Board found that (1) The proposed project and site plan is in conformance with the intent of the underlying industrial district and does not take precedence over other specific provisions of the Ordinance; (2) All buildings, structures, uses, equipment and materials are readily accessible for police and fire protection, as the plans have been submitted to, and not been objected to, by public safety Departments; (3) Adequate off-street parking and loading spaces will be provided to prevent on-street and off-street traffic

congestion; all parking spaces and maneuvering areas are suitably identified and designed to address standards specified within this ordinance; and pedestrian and vehicular circulation is sufficiently segregated to ensure safe pedestrian movement within and adjacent to the property by the use of existing sidewalks. (4) Pedestrian access routes do not create traffic hazards and are: adequate in width, grade, alignment and visibility; are an adequate distance from street corners, places of public assembly and other access ways; and are adequately designed for safety considerations. (5) General landscaping of the site complies with the purpose and intent of this ordinance; there is little existing vegetation to be retained; parking, storage, refuse containers and service areas are suitably screened during all seasons from the view of adjacent areas and the street by way of location. (6) The lighting of the site will be adequate, but not excessive, at ground level for the protection and safety of persons in regard to pedestrian and vehicular circulation, and the glare from the installation of outdoor lights will be properly directed or shielded from the view of adjacent property and rights-of-way; no new sign lighting is proposed.

(7) Utility system locations, design and installation are in compliance with, and will meet the approval of the appropriate boards, departments and agencies, and will protect the environment from adverse pollution. More specifically, and following review by the City Engineer the Board found: (a) the stormwater management plan and the erosion and sediment control plan are consistent with the purposes and objectives of the Stormwater Management Ordinance (Chapter 16, Article II, Division 4 of the Westfield Code of Ordinances); (b) the stormwater management plan meets the performance standards described therein; (c) the erosion and sediment control plan meets the design requirements (d) and will adequately protect the water resources of the community and is in compliance with the requirements of the Stormwater Management Ordinance.

Additionally, (8) No sensitive environmental land features such as steep slopes, and large rock outcroppings, public scenic views or historically significant features on the property will be impacted by this project. (9) The location, design and size of proposed building as well as the nature and intensity of the uses involved or conducted in connection therewith, are in general harmony with the adjacent neighborhood.

DRAFT Conditions

1. Work shall be in accordance with the approved site plan, entitled "Proposed Building Addition and Associated Site Improvements" sheets C-1 through C-7 & D-1 through D-4 as prepared by R Levesque Associates dated 3/31/16, revised _____ signed and sealed by Robert M Levesque, R.L.A. or Filipe J. Cravo, P.E., and as may be amended herein.
2. No work shall commence until a pre-construction conference has been held between the applicant, the contractor, City Stormwater Coordinator (DPW) and other appropriate city officials and project personnel.
3. This Stormwater Management Permit approval grants no relief from any other requirements of the City of Westfield stormwater ordinance, including performance standards, operation, maintenance, inspections and enforcement. The City Stormwater Coordinator is hereby authorized to serve as an agent of the Board in the administration of this component of this permit.
4. Maintenance of the stormwater management system shall be in compliance with the submitted "Long Term Operation & Maintenance Plan" prepared by R Levesque Associates, dated 3/31/16 & revised 5/3/16 and Section 16-109(8) of the City of Westfield stormwater ordinance. Inspection reports, completed not less than once annually, shall be made available to the City Stormwater Coordinator.
5. The site shall be stabilized with permanent plantings and perennial grass cover within thirty days after the completion or cessation of construction, except that during winter months other erosion control methods may be utilized until spring.
6. Prior to any certificate of occupancy being issued:

The applicant shall provide the Board with a written statement from the project engineer, with his seal/stamp affixed, certifying that all work has been done in accordance with the approved plans and

applicable conditions of this approval and that all systems are functioning as designed. A paper copy of "As-Built" record site plans and digital/PDF copy of same shall accompany the statement.

The entire stormwater management system must be completed, stabilized and functioning in compliance with the approved plans, subject to confirmation and inspection by the City.

However, the Planning Board may, by an affirmative vote of at least 5 members taken at a public meeting, permit said use or occupancy, in whole or in part, to commence prior to compliance with or completion of all conditions. This approval is subject to the sole discretion of the Planning Board, who may require a performance bond or other measures to ensure compliance and completion of all of the conditions.

7. *Plant material which dies or fails to thrive shall be promptly replaced in general conformance with the approved plans.*
8. *Durable and visually apparent tree protection fencing shall be installed and maintained throughout earthwork activities and shall be expanded to encircle the largest feasible perimeter of root zone of any public shade trees proposed to remain.*
9. *The Board shall be provided with a current list of any hazardous materials, chemicals or oils stored or used on the premises (except in normal consumer quantities).*

(per BAPAC suggestions):

10. *No synthetic fertilizers, pesticides or herbicides shall be applied to the landscape.*
11. *Drywells shall be eliminated from the proposed infiltration basin.*
12. *Application shall be made to register the drywell in the existing basin with the Mass. Department of Environmental Protection's Underground Injection Control program (unless already registered).*
13. *A gate valve that can isolate the stormwater system from infiltration areas shall be installed. "Storm Drain Spill Containment Valve" or similar signage shall be posted at the valve, and facility staff shall be instructed regarding its purpose and use.*
14. *"No Salt Zone" signage shall be posted near the entrances to the site from November through April. Use of deicing materials shall be restricted to the minimum amount necessary, with sand and ecologically- and water quality-compatible alternatives utilized.*
15. *At least 2 shade trees (2.5" caliper at planting) selected from the Planning Board's tree list shall be installed and maintained within the front yard setback. Trees planted in a street right-of way (with City approval where required) may satisfy this requirement.*
16. *Bike parking? Other issues?*

Vinskey informed the Board 11 and 13 are taken care of in the revised plans they could be taken out, members inquired as to the dates of the plans? Vinskey informed the Board he would recheck the dates and match the plan references. Carellas also inquired about the parking for bikes? It was noted that it was not necessary as parking is available in the facility.

Goyette inquired how the Board would condition the engineer's approvals?

Vinskey noted normally the Board has the final sign off, in this case comments and their response but no final agreement sign off. Vinskey noted you can't delegate your approval on an issue of substance, this is your permit to approve. Goyette suggested to condition in acceptance of final sign off with

any amendments that would be rectified, Levesque suggested prior to building department rectify comments from engineering department. Fiordalice felt the Board should have the opportunity to review engineers comments prior to start of construction or something along those lines.

Magarian suggested requiring final sign off of the engineer with any issues addressed by the applicant. Vinskey noted you can't pass decision onto someone else. Magarian felt the big issues should be addressed by the applicant; Vinskey should not have closed hearing then. Levesque felt he has addressed everything, any last items can easily address those. Make decision and somehow as condition, have to address conditions. Vinskey suggested requesting a letter from engineer for the record file, and whatever it says it says. Carellas subject to written receipt of city engineers final comments.

Carellas MOTIONED, seconded by Magarian to approve the application with findings and condition as read and amended. Jane seconded.,

Magarian	-	Yes
Goyette	-	Yes
Carellas	-	Yes
Fiordalice	-	Yes
St. Hilaire	-	Yes
Crowe	-	Yes

Fiordalice read the notice into the paper for:

The Westfield Planning Board will conduct a Public Hearing on May 3, 2016, at 7:00 P.M. in City Council Chambers, Municipal Building, 59 Court Street, Westfield, MA on the application of Nick and Ali Connor who seek an amendment to conditions of a Special Permit (voted 3/3/15) per Zoning Ord. Sec. 3-130.3(10) allowing for a commercial kennel. Subject property is 202 Union St. and is zoned Industrial A and Floodplain. The application is available for public inspection during regular business hours at the Planning Office and at www.cityofwestfield.org

Fiordalice called the petitioner to present the proposal.

Nick & Allie Conner

The Connors addressed the Board saying they are seeking an amendment on previous permit. The permit they currently have allows for 25 dogs a day they would like 50 dogs per day. They informed the Board they have been several occasions where they have had to turn several clients away because they have met their limit.

Magarian asked if they would be increasing the overnight boarding? No. increasing staff? Yes, there is a total of 5.

Crowe informed the Board member she has gone there and was impressed, nice clean, the dogs are contained.

Fiordalice also commented that they are very professional very clean, responsible thing coming back to the Board.

Room fact?

In favor?

Joe Mitchell – they Came to round table, looking for the right property, doing well, successful start up.

Carellas MOTIONED, seconded by Magarian to close. AIF.

The Board reviewed the draft findings, reaffirming the prior, and change of condition #2 to allow 50 dogs instead of 25. No other amendments. The vote was unanimous on a motion to approve.

98 Sgt Dion way
Tom Keenan

Addressed the Board stating he was here last month he is here tonight because he would like to switch the parking to the east side of the building, he felt this would enable better processing of how things would work.

Fiordalice asked if the parking was the only area changed only? Keenan replied yes, everything else is the same added parking, signs for parking? Yes, Keenan provided to show him. Sign somewhere in front area. Jay public entrance moves to other side? Yes.

Public?
In favor?
Opposed ?

Jay noted that one of the findings relates to having visual consistency. Here, the client entrance is enclosed by a barbed-wire topped chain link fence, kind of fortress-like. Were this not on the airport perimeter, the Board could probably not make that finding. The idea being this use needs to look like it fits in.

Carellas MOTIONED, seconded by St. Hilaire to close. All in Favor.
Fiordalice read a draft of findings and conditions:

Findings and Conditions

The findings and conditions described in the original special permit are reaffirmed, EXCEPT Condition #1, which shall be replaced with the following:

17. *Work shall be in accordance with the approved site plan, entitled "Proposed Registered Medical Marijuana Dispensary" sheet C-3 issuance date 2/25/16 revised 5/3/16 and sheets T-1, C-1, C-2 and D-1, issuance date 2/25/16 and C-4 and D-2 revised 3/15/16 as prepared by R Levesque Associates, signed and sealed by Robert M Levesque, R.L.A., (adjusted as necessary to comport with C-3), and as may be amended herein.*

Carellas MOTIONED, seconded to approve. Magarian noted she was not at the original hearing. Vinskey OK, this is a new hearing.

Crowe	-	Yes	
St. Hilaire	-	Yes	
Fiordalice	-	Yes	
Carellas	-	Yes	
Magarian	-	No	
Goyette	-	Yes	Approved 5-1

Summer schedule, June 7th no new hearings. Third Tuesday's. 6-21-, 7-19,-8-16 Carrellas noted he would not be here 8-16.

Motion adjourn at 10:36. AIF.