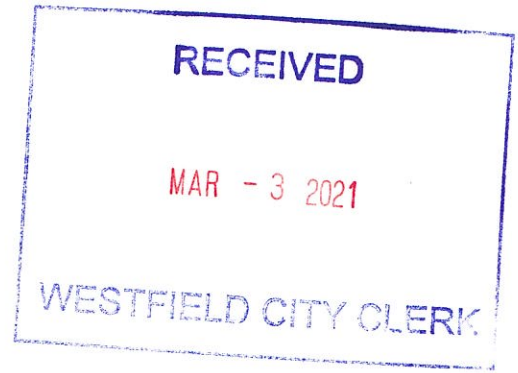




City of Westfield

PLANNING BOARD

William Carellas, Chair
Cheryl Crowe, Vice Chair
Robert Goyette
Jane Magarian
Philip McEwan
Raymond St. Hilaire
John Bowen
Bernard Puza, Associate
Richard Salois, Associate



January 5, 2021

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Westfield Planning Board was conducted via remote participation. Specific information was provided on the City of Westfield website at www.cityofwestfield.org. For this meeting, members of the public who wished to listen to the meeting were advised to do so by tuning into Channel 15 or online at westfieldtv.org. No in-person attendance of members of the public was possible.

PB MEMBER PARTICIPANTS
 MEMBERS ABSENT

STAFF

William Carellas, Chair
 Cheryl Crowe, Vice-Chair
 Robert Goyette, Jr.
 Jane Magarian
 Philip McEwan
 Raymond St. Hilaire
 John Bowen
 Bernard Puza (Associate)
 Richard Salois (Associate)

Jay Vinskey, Principal Planner
 Christine Fedora, Secretary

A. Call to order.

William Carellas	-	present
Cheryl Crowe	-	present
Robert Goyette	-	present
Jane Magarian	-	present
Raymond St. Hilaire	-	present
John Bowen	-	present
Bernard Puza	-	present
Richard Salois	-	present

B. REVIEW AND APPROVAL OF PREVIOUS MINUTES

Member Crowe MOTIONED, seconded by Member St. Hilaire to approve the Minutes of December 15, 2020. Unanimously approved.

C. Review of plans not requiring approval under Subdivision Control Law

- Dox Rd. (73R-7)/Pezzini Est.

Planner Vinsky noted this plan was previously before the Board; at that time it consisted of 4 lots. Current plan is for 3 lots; the reason for denial on the original application was the inadequacy of the road.

Member Magarian noted she visited the site again for this application and felt the conditions hadn't changed since the last time. Member Crowe noted she also visited the site took measurements and the road was 19 feet of tarred and 12.5 feet that was dirt, noting the road was very narrow. Member Salois felt this was more of a road that would be used for campers. It was also noted under the previous application one of the main concerns was emergency vehicles being able to pass.

Member Crowe MOTIONED, duly seconded, to deny the A.N.R. due to the condition of the road, the roadway being narrow, rutted and unpaved. (Chair Carellas stated a yes vote is to deny the plan). By Roll Call Vote:

Bob Goyette	-	Yes
John Bowen	-	Yes
Jane Magarian	-	Yes
Philip McEwan	-	Yes
Cheryl Crowe	-	Yes
Bill Carellas	-	Yes
Ray St. Hilaire	-	Yes

Nonvoting Associates Puza & Salois also concurred. Endorsement is denied.

D. Public Hearings (and possible deliberation and decision)

Chair Carellas read the Instructions for Participation.

- Special Permit/Site Plan Approval/Stormwater Permit - Building expansion > 5,000 SF - 28 W. Silver/ 21 S. Broad St. (Boys & Girls Club)

Representing the petition was Robert Levesque of R Levesque Associates. Bill Parks of the Westfield Boys & Girls Club, Gary Deyharsh of One Development. Mr. Levesque began the presentation by sharing his screens which show the site plans of the project.

The expansions plans were as follows:

- 2 parcels 24-25 & 24-28 (City land).
- The grading plan was presented, stormwater basin which will be a few feet deep.. The site has sandy soils. Levesque noted i Stormwater was reviewed by Jeremy Cigal of the Engineering Department.
- Street trees and planting areas were presented as well as a schedule of plantings, red maple and ginkgo. The plantings will be similar to the rest of the plantings at the club. A bike rack has been added but it was not on the plan.
- A photometric plan with wall packs was reviewed, there will also be parking lot lights that will loop around the road. Mr. Levesque further noted the wall pack units will have security cameras as well.

- The Playscape has not been designed yet but they are working with the design company as well as the construction company.

Member Salois asked if there would be any sidewalks leading to the parking area or crosswalks? Mr. Levesque noted that was mentioned as a comment from the Planner and felt that could be added as a condition adding their experience has been the people don't generally use it, noting it may be not utilized as much as people would think it would be.

Member Crowe asked about shared parking and if there would be enough room for parking adding that Art Works has been using that area as well. Mr. Levesque stated he felt that there is an agreement regarding the parking and that it would time out in about 7 years. He further noted the groups down there have a good relationship with each other. Mr. Parks also noted they have been in discussion with the Museum about coexisting.

Mr. Parks further noted they recently had a meeting with the Museum about possible future collaborations, he further noted he has good feelings regarding continuing these collaborations. He further noted the Boys & Girls Club on a normal basis don't require a lot of parking as the children are usually bussed in, on special occasions where there is an event held at the Club there may be a parking issue, but noted they would be prepared for such an event he further noted if there is an event taking place the staff is outside helping with the parking.

Member Salois inquired about the jersey barriers that are located in the parking lot of the school. Mr. Levesque noted they have probably been there since 2011 and they aid in the slowing down of the traffic that cuts through the school parking lot to get to the Club.

Chair Carellas stated he was concerned about how the Children's Museum feels about being boxed in and if there were any concerns regarding the athletic fields? Mr. Levesque noted he's had discussions with city departments that control property. Mr. Levesque noted they could possibly have a small baseball diamond, adding it wouldn't allow for a full field.

Chair Carellas asked if the Boys & Girls Club leases from the City? Mr. Parks informed him they lease from both the city and the school department.

Chair Carellas asked if there was anyone from the Museum with any questions? None.

Public in favor? Or against? None.

Other comments or questions?

Mr. Levesque reviewed his letter addressing the Planner's comments, and the updated plan. Chair Carellas noted he was not against the project but he is concerned about the big expansion right behind the Children's Museum. Member Puza noted he would agree with Chair Carellas if the Museum was opposed, but he was more concerned with the athletic fields. Member Goyette felt the location of the addition wouldn't impact the athletic fields. Member St. Hilaire felt this would be good as it allows the children to have a safe place to go.

Chair Carellas asked if the Children's Museum were to expand would there be enough parking available. Planner Vinsky informed him it has to be looked at as one big parcel, so probably.

In response to the parking loop circulation item, Chair Carellas noted he likes angled parking and he is not in favor of the sidewalk down the middle he would rather have landscaping and trees.

Member Puza felt the sidewalks placed where unloading the children feels safe get on sidewalk out of parking lot. Crowe also. Safety first, bill keep trees and sidewalk, rob yes shift from side to side.

Mr. Levesque said he would be happy to accept that as a condition, he further noted they are looking for construction to start something they would like completed by September. Member Magarian asked how many people would this serve? Mr. Parks informed her it would serve an additional 100 new members.

The Board discussed conditions they would like to add to the decision. The Board felt the sidewalk should be added as well as angled parking. Mr. Lévesque noted he could do both. Planner Vinsky noted he saw no issues with the just-submitted proposed lighting plan.

Member Crowe MOTIONED, seconded by Member Magarian to close the hearing.

Bob Goyette	-	Yes
John Bowen	-	Yes
Jane Magarian	-	Yes
Philip McEwan	-	Yes
Cheryl Crowe	-	Yes
Bill Carellas	-	Yes
Ray St. Hilaire	-	Yes

Chair Crowe MOTIONED, seconded by Member Magarian to approve.
The Board reviewed the draft decision:

DRAFT Conditions

1. *The site (expansion) shall be developed and maintained in accordance with the approved site plan, entitled "Proposed Expansion" sheets C-1- through C-7. D-1, D-2 dated 12/18/20 as prepared by R Levesque Associates, Inc. (Project #200725), signed and sealed by Robert Levesque, R.L.A. or Filipe Cravo, P.E., and in general conformance with the submitted architectural plans as prepared by Christian Carey/Kuhn Riddle Architects (as may be amended herein).*

Plan Modifications

- a. *Lighting?*
- b. *Skate park access?*

After expiration of the appeal period, a paper and a digital (PDF) copy of the site & lighting plans, incorporating any modifications herein conditioned, shall be submitted to the Planning office prior to making application for a building permit or commencing the subject site construction.

Standard Stormwater Permit Conditions

2. *(Pre-construction) No work shall commence until a pre-construction conference has been held between the applicant/owner, the contractor, City Stormwater Coordinator (DPW) and other appropriate city officials and project personnel. Where applicable, a copy of the Notice of Intent to comply with the EPA's NPDES Construction General Permit and evidence of the EPA's receipt/authorization shall be provided at that conference.*

3. (Post-construction) Upon completion of construction, the applicant shall provide the Board with an "as-built" record plan and a written statement from the project engineer, with his/her professional seal affixed, certifying that all work has been done in accordance with the approved plans and applicable conditions of this approval, or otherwise noted, and that Stormwater management system is functioning as designed, including any supporting evidence. The Board reserves the right to require a performance bond to ensure that outstanding issues are suitably addressed. Occupation permits will not be granted until corrections to all Stormwater practices have been made and accepted.
4. (Maintenance & Inspections) Maintenance of the Stormwater management system shall be in compliance with the submitted "Long Term Operation & Maintenance Plan" (Appendix G of the Stormwater Drainage Report prepared by R Levesque Associates, Inc., dated December 23 2020). Inspection reports, completed not less than once annually, shall be submitted to the City Stormwater Coordinator (DPW).
5. (Administration) 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.

DRAFT Findings

After giving due consideration to the application, testimony and evidence at the public hearing, the Board found that, relative building size in excess of 5,000 SF in the Broad Street Mixed Residence/Business District, (1) The specific site is an appropriate location for its expansion, the vast majority of which occurs outside this district; (2) The expansion will not adversely affect the neighborhood; (3) Adequate and appropriate facilities will be provided for the proper operation of the expanded use; (4) The plan as approved conforms to all rules and regulations unless specifically waived.

In reviewing the site plan, the Board found that (1) the proposed site plan, for an exempted use, is in conformance with the intent of the zoning district and does not take precedence over specific provisions of the zoning ordinance; (2) all buildings, structures, uses, equipment and materials are readily accessible for police and fire protection as the plans have been available to public safety departments with no exceptions taken; (3) adequate off-street parking and loading spaces are provided to prevent on-street and off-traffic congestion; all parking spaces, maneuvering areas are suitably identified and designed to meet standards specified within this ordinance; an agreement and 2011 special permit to share the school parking lots is noted; and provision is made for safe pedestrian movement within and adjacent to the property by the installation of sidewalks; (4) proposed pedestrian access ways do not create traffic hazards and are: adequate, but not excessive in number; adequate in width, grade, alignment, and visibility; adequate distance from the street corners, places of public assembly and other access ways; and adequate design for other safety considerations; (5) the general landscaping of the site complies with the purpose and intent of this ordinance; existing trees removed are being replaced; parking, storage, refuse and service areas are suitably screened during all seasons from the view of adjacent areas and public rights-of-way (6) lighting of the site is adequate at ground level for the protection and safety of the public in regard to pedestrian and vehicular circulation; that the glare from the installation of outdoor lights is properly shielded from the view of adjacent property and public rights-of-way; all new lighting must comply with the standards specified in the ordinance.

(7) all utility systems are suitably located, adequately designed and properly installed to serve the proposed uses, and to protect the property from adverse pollution. More specifically, and following review by the City Engineer the Board found: (a) stormwater management and erosion and sediment control measures 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) there are no sensitive environmental land features such as steep slopes and large rock outcroppings, nor public scenic views or historically significant features affected; and (9) the location and size of the

expansion for the existing use, as well as the nature and intensity of the operations involved or conducted in connection therewith, will be in general harmony with the surrounding non-residential immediate neighborhood.

Vinskey noted the City Engineer was OK with a conditional approval, the biggest issue seemingly to be the road drainage. Based on the updated plans, the Board agreed to 3 plan changes: Change to angled parking to reinforce the one-way traffic pattern; add walkway along the center island of the parking lot, along with a crosswalk to the building entry area; Grading adjustments or other improvements, as acceptable to the City Engineer, shall be added to ensure the existing access road will drain properly.

Member Crowe MOTIONED, seconded by Member Magarian to approve the Special permit/Site Plan Approval/Stormwater Management Permit for Boys & Girls Club at 28 West Silver St. & 21 South Broad Street.

Ray St. Hilaire	-	yes
Philip McEwan	-	yes
Jane Magarian	-	yes
Cheryl Crowe	-	yes
John Bowen	-	yes
William Carellas	-	yes
Bob Goyette	-	yes
Bernie Puza	-	not needed
Richard Salois	-	not needed

E. Other Business

- 181 Root Rd. (Roots Athletic Center) – compliance review

Chair Carellas read an E Mail from Frank DeMarinis and Ryan stating they would be putting the fence up. He further noted he had discussion was confident the outstanding work (paving) would be in by June. Chair Carellas suggested this be put on the Board's meeting for July.

Planner Vinskey asked if he should send out a letter to them to memorialize this expectation. Chair Carellas felt it should go in writing.

Member Crowe felt the Board should give a direct time line and if it doesn't happen within the time line, then enforcement should be taking into place. Member Magarian felt the Board should give to the end of June for the paving of the parking lot or it should be returned to its natural state.

Chair Carellas stated he is not looking to defend them but they have a certain number of years to comply with permit. Planner Vinskey added they need to comply with it if they are utilizing it, they have utilized it and haven't finished. Further discussion regarding revoking the special permit. Planner Vinskey noted the Board hasn't formally requested enforcement, he further noted after the July meeting the Board should exhaust the enforcement route before talk of revocation.

Member Crowe felt compliance is compliance, this is January so he can't pave but this does not have a good track record, he should be held accountable.

The Board had a lengthy discussion about how to move forward on this Member Salois felt a letter should be sent saying appropriate efforts should be completed by the end of June so no further action will be required by the Board.

The Board felt a letter being sent similar to the above wording should be sent. Planner Vinskey noted he would send a communication stating the timeline and that it will be reassessed in July with hopes of no further action needed.

- 94 Main St. (Polish National sign) – compliance review

The Board briefly discussed the Polish National Credit Union decision regarding the condition: “Different static messages (without scrolling, animation or flashing) may be displayed, provide none is displayed for less than 60 seconds.

The Board felt an enforcement letter should be sent stating they should comply with their condition (60 seconds) but if they wish to come back to the Board to seek an amendment to the condition the Board may be agreeable..

- Angelica Drive Subdivision – closeout review/performance guarantee reduction

Planner Vinskey informed the Board we have received the City Engineer’s report as well as the As Built Plans, the administrative items listed have been addressed; the Board can vote to release the performance guarantee on the subdivision.

Chair Carellas MOTIONED, seconded by Member Crowe to release the performance guarantee on Angelica Drive.

Bill Carellas	-	yes
Cheryl Crowe	-	yes
John Bowen	-	yes
Bob Goyette	-	yes
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes

- Breighly Way Subdivision – sidewalk revision, performance guarantee reduction

Planner Vinskey informed the Board the applicant has submitted a plan which shows a reduction of a sidewalk due to electric boxes being installed in the wrong place; the applicant is looking for the change allowed from the approved plan. The Engineering Department is not comfortable allowing it as minor technical change; the Board could allow it as a minor technical change, though perhaps it was not one or by granting a waiver including waiving a need for a hearing .

The Board felt a reduction wouldn’t be that great in itself and Goyette asked if there is some type of a fund the money could be put in. Planner Vinskey informed him there is a sidewalk fund that developers use. The Board felt the money should be put in the sidewalk fund.

Member Magarian motioned, duly seconded, to allow the change and expect a contribution to the sidewalk fund to grant the waiver.

Bill Carellas	-	yes
Cheryl Crowe	-	yes

John Bowen	-	yes
Bob Goyette	-	yes
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes

- Discussion of possible ZBA zoning amendments, including definition/classification of dwelling occupants (family, lodgers, tenants, roomers), revisions to address or limit merger doctrine impacts, non-conforming structures/uses and other various topics

The Board had carried this item from the last meeting, but offered no further input. Vinskey noted he would talk to the ZBA at the end of January, and some of these may be coming for public hearings.

- Enforcement procedures/improvements

Planner Vinskey stated he was looking to Jan. 19 for invited city officials on this topic.

The Board felt one of the main issues they are having is enforcement procedures, there is nothing in the Board's rules that explains how to revoke a special permit, and there should be something in writing either in the zoning ordinance or policy statement.

Member McEwan felt the Board should not be nitpickers, the applicant's should be treated equally. There should be some type of compliance issues that would require enforcement such as safety hazard or aesthetic some type of guidelines to address that. What steps need to be taken when the Board finds out someone is not in compliance with a decision? Who determines when things are not in compliance? What steps should be taken if it's found someone is not in compliance, who does what? Should a list be made up of who does what should there be a common list of 5 or 7 things?

Planner Vinskey also noted there are projects that are being done that do not come back for a preconstruction meeting, so the Board may not know its even been built. Member Salois asked for a list of the projects that haven't been done in compliance.

- Remote meeting format

Planner Vinskey noted it has been brought up that the broadcast meeting was audio only. Crowe mentioned there have been some inquiries as to the fact people cannot see the plans discussed or who is talking. Member McEwan asked if the Planning Board does it shouldn't all the Boards do it? Chair Carellas noted the decision would be an all members or nothing. Planner Vinskey noted the public has no other options to see late-submitted plans; Members agreed that the public should be able to see the plans, speaker. Chair Carellas asked the rest of the members. Members had no opposition and Member McEwan said he would concur.

Member Crowe mentioned a resident on Ponders Hollow was having problems with neighbors lighting, Pioneer Valley Church, and had filed a complaint with no response.

Meeting adjourned at 9:39.