



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



February 4, 2020

Chairman Carellas 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

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

- Jay Vinskey, Principal Planner
- Christine Fedora, Secretary

A. PUBLIC PARTICIPATION (on any matter not the subject of a public hearing)

Chairman Carellas asked if there was anyone in the room who would like to address the Board.

John Keilch - 354 Root Road, owner of Yellowstone Farm. Voiced concerns regarding PFOA and PFOS contamination and the testing of the monitoring wells in relation to his property.

B. REVIEW AND APPROVAL OF PREVIOUS MINUTES (01/07/20, 01/21/20)

Member Crowe MOTIONED, seconded by Member Goyette to approve the Minutes of 01/07/20, 01/21/20. All in favor.

C. Review of plans not requiring approval under Subdivision Control Law. None.

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

- Continuation - Special Permit/Site Plan/Stormwater Permit Amendment - 141 Springfield Rd. (WalMart) - add grocery pickup - *The Board is in receipt of a request to continue to February 18*

Planner Vinskey first confirmed that members eligible to vote on this would application would be available for the February 18 meeting (Members McEwan and Puza not eligible). Member Crowe MOTIONED, seconded by Member Goyette to continue to February 18, 2020. All in favor.

E. Other business

- 181 Root Rd. (Roots Athletic Center) -Lighting Compliance Review

Planner Vinskey noted the Board has asked the owner Frank DeMarinis to be here to answer questions about the lighting . Carellas requested owner to address overage on lights and well testing procedures. Planner Vinskey noted the applicant was not asked to address the water testing. The applicant has been complying with the condition regarding the testing of the lighting and felt the Board would not want to blind side at this meeting them regarding the monitoring well testing.

Referencing his report, Planner Vinskey gave a brief summary regarding the lighting, as the Board discussed this at their December 3 meeting. Roots facility changed their lighting earlier this year, the Board asked for a report verifying the foot candles are in compliance with the Board's condition. A report was submitted showing compliance (zero footcandles). After leaves fell off the trees, Vinskey took a some readings, finding some measureable trespass but all of the readings at abutters lot lines were below half a foot candle. Per the decision, it should have been "zero."

Mr. Demarinis stated he didn't have any problem with the City testing. He had contacted 2 companies that did testing previously and both said light levels are good for one significant figure because it was lower than one and rounded off to be zero. He further noted depending on the weather it makes a significant difference in the measuring. He further noted .04 foot candles is what the company came up with they hired, it was not his company taking the reading it was an outside company hired to do the testing.

Ryan Lavner the Director of the Athletic Center informed the Board he is the person in charge of the hiring of the companies that took the light readings. He provided both companies with the Special Permit decision. After the measurements were completed he went to the companies to see how they measured the lighting. They informed him they are talking about tenths of a foot candle. Mr. Demarinis pointed out that ambient light can be seen but may not measure foot candles. Vinskey noted that a full moon may measure a few hundredths of a footcandle.

Members voiced their feelings that 0.4 rounded to zero is not zero. The General Manager from Roots stated if that's the way it was anticipated to read that is not the way it reads on the special permit.

Members voiced their concerns regarding the fact it is not zero foot candles and they expressed the fact that although it was .10 it does not meet the Board's requirement of being zero foot candles at the property line.

The applicant noted the way the permit reads it states property line. Crowe noted once it's out in the street its bleeding out. Members inquired if they have changed the lights or shields at all? Mr. Demarinis stated nothing has changed since September 16th, nothing has been added. The lights were installed in the summer and there are additional lights that need to be installed but they have't been installed as of yet, adding they have done what was on the plan.

Planner Vinskey noted the original lights were tested by Elm Electric and when the lights were changed Slingerland took the readings. Mr. Demarinis noted the readings that were taken were similar to Mr. Vinskey's. Theirs were rounded to zero, where Mr, Vinskey's were not rounded to zero. Vinskey corrected that some of Elm's readings were listed to the tenth.

Planner Vinskey also noted when they were approved for the parking expansion it was conditioned for a 6 foot fence. The Board discussed if a fence could help to alleviate some of the lighting issues. Mr. DeMarinis suggested a 15' fence may be a solution. Planner Vinskey suggested the applicant mock up the fence to see if it would actually help to alleviate the problems.

Further discussion regarding the light trespassing and how the numbers are over zero light trespass. Planner Vinskey reminded members this project predates the lighting ordinance if something like this would come in today, it would require a waiver from the ordinance.

Member Salois felt the numbers were miniscule and that it's not much of a trespass and asked if it is bothering the neighbors. He felt the neighbors need to be taken care of and the lighting should be kept down. Chair Carellas was hopeful the fencing will help to resolve the lighting issues.

Mr. Demarinis added it's one person whos been complaining and he's trying to appease that neighbor. Chair Carellas felt Mr. Vinskey's idea regarding mocking up a portion of fence was a good idea and he was hopeful it will work. Vinskey reminded the members that the fence would not address all trespass and the Board should consider how it wants to handle the light trespass condition specifically.

Ultimately, the majority of the members agreed that readings of less than 0.5 footcandles would be considered to be rounded to zero, and thus satisfy the condition.

Vinskey remarked that 15' was a pretty tall fence. The Board determined that a public hearing should be held for a higher fence, as a significant change from the approved plan. Possibly, the light trespass the condition could also be clarified then to state less than 0.5 footcandles. Mr. Demarinis said he had no problem filing that application, but noted he would ask that it only be kept to the issues as stated. Chair Carellas also felt a visual might be nice even if it were done with plywood to give the neighbors a chance to see what a tall fence would look like.

- 181 Root Rd. (Roots Athletic Center) -Monitoring well testing/results

Mr DeMarinis said he has no problems with the City coming in and taking water samples/tests as long as they follow industry standards; if someone doesn't know the procedures it could be done the wrong way. Member Magarian asked if they could take samples within 2 weeks of the new crumb rubber? Mr. Demarinis stated they probably wouldn't be putting any more down for another couple years.

Chair Carellas noted the Board had some questions regarding the testing results and as such had asked Kristen Mello to answer some of the Board's concerns. (DeMarinis & Lavner left)

Kristen Mello -27 Moseley Avenue- Ms. Mello stated she is the co-founder of WRAFT (Westfield Residents Advocating For Themselves); Bachelors of Science degree. Answering the Board's questions as submitted to her:

She noted there are standards for packing, temperature and time for samples. In the present test, the testing was outside the holding period.

There may be PFAS contamination from in the artificial turf material. It is not known if the material at Roots is a concern or not.

Chemicals being tested are consistent with BAPAC's earlier (2016-17) recommendations. Testing labs should be EPA-certified. She reiterated BAPAC's recommendations:

- *Sampling should occur immediately, once each year in August, and within 2 weeks of applying any supplemental crumb rubber material (the Connecticut DEP study found that leaching of volatile organic compounds from this material significantly decreases after 20 days of outdoor exposure).*
- *For sampling, water should be collected at the surface (the top) of the water table.*
- *Sampling and analysis should be performed by a certified laboratory and analytical results sent to the Westfield Water Department and BAPAC.*
- *Parameters for sampling should include: zinc, aniline, phenol, and benzothiazole. This is based on a New York State Department of Health Study that indicates potential release of these chemicals from crumb rubber above groundwater standards.*

PFAS testing was also suggested. Chair Carellas was surprised lead was not currently being tested for. Relative to their permit, the Board felt that in order to comply with condition, the certified testing lab (not the owner or his agents) should be the party collecting the sample at the source. The Board would also like to see Lead and PFAS added to the testing parameters. The Board requested information of the turf carpet product installed. Vinskey stated he would send Mr. Demarinis a letter stating those concerns/requests, having noted the Board can't require anything above the current special permit requirements.

F. Announcements/Future agenda items

Member Bowen asked about the status of the marijuana/parks buffer zoning amendment. Planner Vinskey replied it is on the Council's agenda for Thursday (February 6); the hearings will be scheduled in about a month.

Motion to adjourn at 9:02. All in favor.