



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

April 20, 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 could be found on the City 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 Channel 12 or online at westfieldtv.org or online at Youtube.com - Westfield Community Programming Channel. 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 @ 7:02
 Bernard Puza (Associate)
 Richard Salois (Associate)

Jay Vinskey, Principal Planner
 Christine Fedora, Secretary

The above member attendance was taken by roll call.

A. Public Participation

Chair Carellas asked if anyone would like to address the Board. There being no one heard Chair Carellas proceeded to the next item on the agenda.

B. Review and approval of previous meeting minutes (04/06/21)

Planner Vinskey stated the minutes had not been sent out.

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

- 7 Ellsworth St. /Harold Avenue. – Beauchemin

Planner Vinskey informed the Board this plan is pretty straightforward splitting the lot, it has frontage on Ellsworth Street and Harold Avenue. With no questions or comments, Member Crowe MOTIONED, seconded by Member Magarian to approve the A.N.R.

By Roll Call vote:

Cheryl Crowe	-	yes
William Carellas	-	yes
John Bowen	-	yes
Jane Magarian	-	yes
Philip McEwan	-	yes
Ray St. Hilaire	-	yes
Robert Goyette	-	yes

A. Public Hearings

Chair Carellas read the instructions for joining the meeting.

- Special Permit–Home-based photography business – 52 Murray Ave.

Chair Carellas called on the petitioner/representative to present the proposal to the Board.

Andrea & Donald York – 52 Murray Avenue. Andrea York addressed the Board. She is the owner of Andrea York Photography, she started her business in June of 2013 in Westfield. In November of that year she rented space at the Bismark Building at 16 Union Avenue where her gallery, office, client meeting area still resides and will continue to. In July of 2016, she added a lease in the adjacent Pilgrim Avenue in fall of 2019 they were planning on moving into the Pilgrim Candle on Union Street, in January 2020 they were informed that Pilgrim Candle was going to move into the space they were planning on leasing so currently they do not have a studio and that is what they wish to do at their home.

Donald York addressed the Board. Currently 90% of business is done at their client's locations. The studio space they are requested is for head shots and occasional family portraits. They are anticipating there will be one or two photo sessions a week, the traffic is minimal, 3 - 4 cars a week on a normal basis, in winter maybe a little more, there is parking available on their property, there will be no changes to the exterior of the building. They will be putting a floor in that room and a small area for changing, no signage, no lighting than currently have, low impact for the neighborhood, no noise with photo sessions.

Member Magarian asked if they are working from home currently she also noted she saw a sign on their door that identified it as a photography studio. The applicant informed her they had picked up the decorative sign at a flea market in Brimfield and thought it would be a cute thing to have on their door they further added they would have no problem removing the sign if it is an issue.

The Board discussed the hours of operation with the applicants. The York's stated their appointments are scheduled ahead of time, family sessions are usually done on weekends, head shots about 11:00 in the morning and 4:00 in the afternoon, don't have any night or

early morning sessions. Member Magarian asked if they currently do sessions in the evening. Ms. York stated they typically don't want to come in the evening, 85% of them are done on location and during cold weather. Member Magarian asked what hours she would like. Ms. York felt 10 - 7. Monday - Saturday? She further noted she is still using space on Union Avenue for the initial meetings.

Member Crowe suggested making the hours 7 - 7, on weekdays for flexibility. Chair Carellas felt the Board should keep the hours across the Board and come back for an amendment if necessary. After discussion the Board agreed to 10 -7 Monday - Saturday.

Public speak for against, questions.

Peter & Lisa Orsakowski (email) - 19 Murray Avenue -Wonderful neighbors, in favor.

John Beltrandi -Encourage everyone to vote in favor, he thinks this is a good idea.

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

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

Chair Carellas declared the hearing closed and the Board reviewed the draft decision; draft conditions:

1. *This Special Permit is non-transferrable and shall expire upon the sale/transfer of the property (unless the listed Applicant, as principal practitioner, continues to reside on the premises).*
2. *The Planning Board, and/or their designee, reserves the right to inspect the premises through the first year of the use of this Special Permit.*
3. *Signage?*
4. *Hours of operation (clients on premises) are limited to between ___ and ___.*

Following discussion the Board decided on 10AM - 7PM for hours of operation and no signage. Member Goyette MOTIONED, seconded by Member Goyette to approve.

Bill Carellas	-	yes
John Bowen	-	yes
Bob Goyette	-	yes

Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes
Cheryl Crowe	-	yes

Chair Carellas informed the applicant regarding the steps that must be followed after receiving approval.

- Site Plan/Stormwater Permit – parking lot construction - 91 E. Mountain Rd.

Representing the applicant was Jeff Squire, Berkshire Design Group. He stated this project is located on the Campus of Western MA Hospital it is for a parking lot which will be located behind Clark Hall, the overall acreage of the parcel is 185 acres or so, this parking lot will take a small portion of that property. The proposal is to construct 32 car parking lot for employees.

Mr. Squire presented the Board with a plan, showing the accessible spaces as well as the accessible ramp. Site lights will be added, storm water system, need to respond back to city engineer regarding a couple more infiltration matters; he is confident he will be able to resolve the Engineer's concerns.

Site details were shown, Stormwater elements. Mr. Squire noted he did revise the parking stall sizes as suggested by Planner Vinskey. He further acknowledged this is a dead end parking lot which does not give much of an opportunity for second means of egress, but use and intensity, intended primarily for employees.

Pedestrian connection- He explained the existing walkway is very poor condition, and is not used so removing entirely won't have an effect. Light poles fine with revising to 16' per ordinance.

He further noted he would be removing some of the trees and don't have any substantial plantings proposed. Bike parking accommodations for parking is elsewhere on site, but employees drive so bicycle parking won't serve that much here.

Member Goyette asked in MEPA filing was required? No, not needed. Less than an acre of disturbance, fairly minimal project.

Mr. Squire further noted the Memorandum from the Planner; a lot of the concerns were addressed in the revised plan set.

Member Magarian asked about the comment regarding the residential district. Where does it about the residential district? Planner Vinskey noted the entire area is residential zoned, which has a 16 foot height limit for light poles, had proposed 18 foot height to match other on campus; the board can entertain a height waiver and may be appropriate for this site.

Chair Carellas noted he would like to see some trees replaced. Member Salois felt the 14 foot approach drives should be changed into a one way. Mr. Squire said he would speak to the people to see if they would allow a one way in and a one way out.

Member Crowe also noted she would like the one way in and one way out as well as a bike rack. Chair Carellas noted he would rather forego the bike rack and get a charging station, Mr. Squire noted there will be conduit installed for future chargers.

In favor? Opposed? Ask questions.

Alan Roberts-Western MA Hospital, maintenance supervisor. Informed the Board he could speak on the issues, one way would be ok, no problem adding trees, and bike rack ok as well. Mr. Squire noted those changes can be made for the next agenda.

Carellas motion to continue?

Member Crowe MOTIONED, seconded by Member St. Hilaire to continue to May 4, 2021.

Bill Carellas	-	yes
John Bowen	-	not present
Bob Goyette	-	yes
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes
Rich Salois	-	yes
Cheryl Crowe	-	yes

- Special Permit – Residential kennel – 20 Old Holyoke Rd.

Bethany & David Smith . Ms. Smith addressed the Board; they currently have 3 dogs, they are up to date on their vaccinations and neutering. They have no history of aggression, she would like to get another puppy, while inquiring about getting another puppy she was told by animal control that a residential kennel was necessary. She further noted the dogs she currently has are a pug, old English sheep dog, English Spanish mix. She does not intend on breeding in the future.

Member St. Hilaire asked if they are currently fenced in. Ms. Smith replied currently they are not fenced but they are in the planning on fencing it in, they are indoor dogs but would like to have a fenced in area for the dogs to be able to run. The Board further inquired as to neighbors. Ms. Smith stated there is no one behind her and from the side of the house it's approximately 500 feet.

Abutter Suzanne Malloy inquired as to the location of the fenced area. Ms. Smith they would be located away from the side of her house. Ms. Smith showed where the area would be where dogs would be located.

Member Salois asked how big area? 12 x 14 indoor area with same for outdoor fenced area.

The Board discussed the number of dogs, following discussion and the application narrative, the Board felt the requested 5 would be a good number, adding they could come back to the Board if they wanted additional dogs.

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

Bill Carellas	-	yes
John Bowen	-	not present
Bob Goyette	-	not present
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes
Rich Salois	-	yes
Cheryl Crowe	-	yes

The Board reviewed the draft decision; draft conditions:

1. *Not more than 5 dogs (aged 6 months or older) shall be kept on the premises. All such dogs shall be properly licensed and owned by the Applicant.*
2. *This Special Permit is issued to the applicant and is non-transferrable. It shall expire upon the sale and/or transfer of ownership of the property (unless the listed Applicant continues reside at the premises).*
3. *The Planning Board, and/or their designee, reserves the right to inspect the premises through the first year of the use of this Special Permit.*
4. *Outdoor/fenced area? location?*

The Board also agreed there shall be an outdoor fence and will be enclosed but it was not necessary to require a specific size.

Member Crowe MOTIONED, seconded by Member St. Hilaire to approve the residential dog kennel as discussed.

Bill Carellas	-	yes
John Bowen	-	not present
Bob Goyette	-	not present
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes
Rich Salois	-	yes
Cheryl Crowe	-	yes

Chair Carellas informed the applicant regarding the steps that must be followed after receiving approval.

E. Other Business

- Balloon float for proposed wireless communication tower – 700 East Mountain Rd.

Planner Vinskey informed the Board this is an administrative action regarding the flying of the balloon for a cell tower application that has been filed. The balloon must be flown prior to the public hearing. The previous applications the Board scheduled them on the last 2 Saturdays prior to the public hearing. Planner Vinskey further noted there is a variance application in front of the Zoning Board of Appeals so the Planning Board likely wouldn't approve until the variance has played out. The Board discussed possible hearing dates, following discussion the Board decided on a hearing date of June 1, despite it typically reserved for only continued hearings (summer schedule)

The Board felt 2 different dates, one morning one evening would be preferable. Attorney Michael Fenton addressed the Board, suggesting dates of the balloons would be May 22- 9am-1pm and May 29- 1-5pm, rain dates the 2 days following each Planner Vinskey to prepare the notice for the hearing and the floating of the balloon to be on one notice. All in agreement.

- Review of proposed change to approved special permit - 11 Bates St. (infill)

John Beltrandi addressed the Board. He acquired the property last week. He noted he would like to put a duplex on the property which is different than the current plan on file. His plan is to take down the garage and provide a structure that will be in keeping with the neighborhood. This will allow for a 13.5 foot driveway, as well as maintaining more of a setback, he felt this would clean up the neighborhood considerably. Mr. Beltrandi further added there would be a new foundation put in and will be centered so as to allow parking on either side. (building elevations shown)

Member Goyette MOTIONED, seconded by Member Magarian that this is a minor change to the previously approved special permit for 11 Bates Street.

Bill Carellas	-	yes
John Bowen	-	not present
Bob Goyette	-	yes
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes
Rich Salois	-	yes

- Breighly Way/Grayson Estates Subdivision – performance guarantee reduction

Planner Vinskey informed the Board we received paperwork and a retainage amount from the Engineering Department in the amount of \$179,975 to cover work not yet completed.

Following a discussion confirming the amount of money to be kept is adequate for the completion of the project, Member Crowe MOTIONED, seconded by Member Magarian to accept the reduced performance guarantee amount of \$179,975.00.

Bill Carellas	-	yes
John Bowen	-	not present
Bob Goyette	-	yes
Jane Magarian	-	yes
Phil McEwan	-	yes
Ray St. Hilaire	-	yes
Rich Salois	-	yes
Cheryl Crowe	-	yes

F. Future agenda items

The Board briefly discussed 1090 Southampton Road. Planner Vinskey noted the Board requested only a schedule and that was the communication he received. Member St. Hilaire voiced his concerns regarding this unregistered vehicles should be taken care of; member Bowen was supposed to follow up. Planner Vinskey to put on next agenda.

The Board discussed the possibility of making standardized times for in home businesses. Planner Vinskey to put on next agenda.

Member Magarian noted she would like to discuss changing the 300 feet residential triggering a special permit for marijuana establishments to being outright prohibited. Planner Vinskey to put on next agenda.

Member Salois inquired as to the amount of retail establishments that are allowed? Planner Vinskey noted 4 retail establishments are allowed; no limit on other types. The uses also require a Host Agreement with the city which is done by the Mayor, so some control that way as the number of establishments.

Member St. Hilaire thanked the Westfield Cultural Council for cleaning up Bolduc's site (Westpark).

The meeting was adjourned at 8:30.