



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

June 2, 2020

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 westfieldto.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
Raymond St. Hilaire	-	present
John Bowen	-	present
Bernard Puza	-	present

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

Member Crowe MOTIONED, seconded by Member Salois to approve the Minutes of May 19th, 2020.

Cheryl Crowe	-	yes
Robert Goyette	-	yes
John Bowen	-	yes
Bernard Puza	-	yes
William Carellas	-	yes

Raymond St. Hilaire - yes

C. Review of plans not requiring approval under Subdivision Control Law
Wood Road./Manley

Planner Vinskey informed the Board this plan is a property swap. One of the owners is looking to swap a portion of their land with their neighbor; no frontage changes.

Member Crowe MOTIONED, seconded by Member St. Hilaire to approve the A.N.R.

By Roll Call Vote:

Chair Carellas	-	yes
Cheryl Crowe	-	yes
Robert Goyette	-	yes
John Bowen	-	yes
Bernard Puza	-	yes
Raymond St. Hilaire	-	yes

D. Public Hearings

Chair Carellas read the notice into the record for: “Farzaan Mufeed seeking a Special Permit per Zoning Sec. 3-130.3 for retail/wholesale vehicle sales at 66 S. Broad St., zoned Industrial A. If possible, the hearing will be conducted in Room 207 at 59 Court St., Westfield, MA; otherwise Real-time public comment will be accepted during the hearing by teleconference: Call 929-205-6099 with Meeting ID# 815 0857 0161 & Password# 495564 (manner of the hearing will be confirmed on the duly posted meeting agenda). Public comment may also be submitted in advance, for receipt prior to the hearing, by mail to: Planning Board, 59 Court St. Westfield, MA 01085 or by email to: j.vinskey@cityofwestfield.org”

Prior to discussion, Chair Carellas stated 6 members are present; in order for the Special Permit to be approved there needs to be 5 in favor. He asked the applicant if they wished to hold the hearing tonight or to continue until the next meeting. The applicant stated he would like to proceed tonight.

Farmzeed Mufeed addressed the Board informing them he currently has a wholesale car business at this location and would like to expand his operation to be a commercial operation as well. He further noted currently they cannot sell to the general public at this location. He does sell to the general public in his location in Springfield but would like him to be able to sell in Westfield as well.

The Board inquired as to the specific location? The truck parking is on the north side of the property. Members inquired as to the parking capacity. Mr. Mufeed noted they currently have 17 cars on the inside and an additional 18 parking spaces outside. There is plenty of room. There is nobody else on site. Member Goyette inquired as to how many cars would he like? Mr. Mufeed stated he would like to start with 30 cars. (Member Magarian entered the meeting at 7:14; Planner Vinskey noted Member Magarian can participate in the discussion but should not vote. Associate Salois joined late as well)

The Board discussed whether there would be enough space for traffic. Is it wide enough for trucks to travel by if there are cars parking? Mr. Mufeed stated there is plenty of room for cars and trucks.

Members briefly discussed whether the lot size is large enough for used car dealers? Is there a calculation that is used? Planner Vinskey noted they are before the Board for the use, they also require a license for the sale of the cars. He further added he didn't know of any standard in the zoning in regards size, other than the Board's determination, noting he thought it looked like there was enough space.

Member Bowen noted he has driven through there and voiced concerns regarding the amount of space. Mr. Mufeed noted the area he would be located would be before the wall which is the area that Member Bowen was concerned about. Planner Vinskey stated we have not received comments from the Fire Department, adding the Fire Department has power to establish fire lanes if necessary.

Planner Vinskey noted they previously were before the City Council for the wholesale use, they are before the Planning Board because they wish to add retail use as well and this use has moved to Planning Board jurisdiction.

Member Bowen stated his concerns were addressed and the Board can condition further if they feel the need. Member Puza also noted he had no issues as well.

Member Goyette asked if he was asking for 30 cars? Mr. Mufeed replied he was asking for 30 cars. Member Crowe also stated she had reviewed and had no issues as well.

Chair Carellas opened the discussion up to the public for or against or any questions? Planner Vinskey also added he didn't receive any communication from the public. Peter Cowles (IT) noted there was no one in the waiting room to discuss. Member Bowen MOTIONED, seconded by Member Magarian to approve the Special Permit. The Board discussed possibly adding conditions. Member Bowen MOTIONED, seconded by Member Puza to close the hearing.

Member Bowen MOTIONED, seconded by Member Goyette to approve, no conditions.

By Roll Call Vote:

Cheryl Crowe	-	yes
Robert Goyette	-	yes
Jane Magarian	-	not eligible
John Bowen	-	yes
Bernard Puza	-	yes
Richard Salois	-	not eligible
Raymond St. Hilaire	-	yes
Bill Carellas	-	yes

Chair Carellas read the notice into the record for: "Ed & Angie Stallman seeking a Special Permit/Site Plan per Zoning Sec. 3-130.3(3, 11) & 6-10 for a home-based business/ commercial kitchen building with reduced setback at 104 Springdale Rd., zoned Industrial A. If possible, the hearing will be conducted in Room 207 at 59 Court St., Westfield, MA; otherwise Real-time public comment will be accepted during the hearing by teleconference: Call 929-205-6099 with Meeting

ID#812 7260 3253 & Password# 240481 (manner of the hearing will be confirmed on the duly posted meeting agenda). Public comment may also be submitted in advance, for receipt prior to the hearing, by mail to: Planning Board, 59 Court St. Westfield, MA 01085 or by email to: j.vinskey@cityofwestfield.org”

Ed Stallmann addressed the Board explaining his petition;he currently has a food truck, he is before the Board to allow him to build a 20 x 30 outbuilding for a commercial kitchen in order to supply his food truck. He noted that Doug Fuller would be the builder. Member Magarian inquired if he would be selling from the truck at his home or if he would be traveling? Mr. Stallman informed the Board he currently travels to businesses in Westfield mostly, selling breakfasts and lunches for businesses both small and big businesses. The operation would be running 5 -6 hours a day Monday – Friday. Member Magarian asked if the food truck is ever open on their property? No, the food truck is not open on their property.

Chair Carellas noted an Industrials A use allows a restaurant and inquired if he would be turning his house into a restaurant? Mr. Stallman replied it is strictly a kitchen for the truck. The Board further inquired if they would allow people to come to their house to pick up deliveries? Mr. Stallman informed the Board he wants to keep the business running the way it currently is running. Planner Vinskey noted the use itself is allowed by right in this district but the lot is too small for industrial/commercial uses, that is are why this is being addressed as a Home Based Business use. Technically also requires site plan approval.

The Board also inquired about the trash? Mr. Stallman noted they have one trash and one recycle bin which is enough at this point, as far as the business goes they haven’t required extra service for trash removal, they currently are mostly recycling.

Chair Carellas asked if there were comments from the public. There being no comments, the Board discussed possible conditions:

Restrict trash? Pickup time? Vinskey asked if the Board just wanted to condition no commercial dumpsters? Yes

Member Salois asked about the setback. Planner Vinskey noted that part of the application, site fairly tight to meet standard requirements; also abuts railroad. He further noted the building department may require a survey.

Doug Fuller, 28 Breighly Way - general contractor for the applicant noted that Sage Engineering is working on the plot plan.

The Board discussed possible conditions, hours of operation 7-5 Monday- Friday, no commercial dumpsters, no signs, side lot 10 feet.

The Board decided on the 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. *No associated signage is permitted.*
4. *Hours of operation are limited to between 7am and 5pm, Monday through Friday.*
5. *The proposed building may have a side yard setback (northern lot line) as close as 10 feet.*
6. *A site plan prepared and sealed by a professional land surveyor depicting the proposed building location and its setbacks shall be provided to the Building Department with the building permit application, along with any other information specified in Section 1-10.2 which is also requested by the Superintendent of Buildings, such that compliance with the ordinance/this special permit can be determined.*
7. *This decision does not permit any on-site service or sales of food or merchandise to the public.*
8. *No commercial dumpsters are permitted on the premises.*

Member Magarian MOTIONED, the motion was seconded to close the hearing and approve the Special Permit/Site Plan. By Roll Call Vote:

Bernie Puza	-	yes (designated Associate)
John Bowen	-	yes
Ray St. Hilaire	-	yes
Cheryl Crowe	-	yes
Bill Carellas	-	yes
Jane Magarian	-	yes
Bob Goyette	-	yes

E. Other Business

- 710 Southampton Rd. – request for special permit extension (granted 6/19/18)

Mr. Todd Cellura addressed the Board regarding his project for a car wash and additional retail space to be located on 710 Southampton Road. He informed the Board the contractor/purchaser who was going to do the project decided not to go through with the purchase; decided he would try to build it himself but found it was much more costly than he thought, and dealing with the bank is taking him much longer than he thought. He is currently asking the Board for an extension to deal with the bank regarding investments and due to the pandemic.

Member Magarian inquired as to what he anticipates the time line once it's started? The Board further discussed and felt that a 2 year extension would be appropriate given the unusual times.

Member St. Hilaire MOTIONED, seconded by Member Puza to grant a 2 year extension. By Roll Call Vote:

William Carellas	-	yes
Cheryl Crowe	-	yes
Jane Magarian	-	yes
Bob Goyette	-	yes
Raymond St. Hilaire	-	yes
Bernie Puza	-	yes
Richard Salois	-	yes
John Bowen	-	yes

Planner Vinskey confirmed the extension would be 2+2 years from the original decision. Agreed.

- 99 Springfield Road (Planet Fitness) – closeout review (partial)

Planner Vinskey informed the Board he visited the site yesterday and it is generally in conformance with phase 1, except there is a significant issue with an added ground sign. Even if the Board considered this a minor change, it has no authority to permit the added sign; only the ZBA can grant variance relief for more than 1 ground sign. The applicant’s representative had originally testified that such relief would be sought, but that remains an outstanding item, and so the signs seems to be a zoning violation.

Member St. Hilaire inquired about the light posts. Planner Vinskey noted there is no issue.

The Board also noted a crosswalk/handicapped curb ramp wasn’t in as well as unfinished work with the traffic signal (Planner Vinskey noted that would fall within the jurisdiction of the Mass DOT contract)

Rob Levesque also noted there was discussion with Mr. Hannoush regarding the potential for a third sign and he would coordinate with the building department as to how to resolve.

Planner Vinskey noted the bike rack also seems to be too close; bikes would likely need to be attached parallel to the rack.

Member Magarian inquired about the handicapped ramp. Mr. Levesque noted it could be done later and fairly easily. Member Magarian stated she has no problem with it being done down the road. The Board agreed that curb ramp and crosswalk (at the northeast corner of the building) is not warranted at this time, but may become important with future redevelopment/tenants and expects at that time it be installed/revisited. Other changes accepted as minor.

The Board took no exception/accepted as minor the new (3rd) ground sign as it relates to their review/jurisdiction, but understood it somehow needs to be resolved from a zoning aspect (variance or other means). For closeout (phase 1), by Roll Call Vote:

William Carellas	-	yes
Cheryl Crowe	-	yes
Jane Magarian	-	yes
Bob Goyette	-	yes
Raymond St. Hilaire	-	yes
Bernie Puza	-	yes
Richard Salois	-	yes
John Bowen	-	yes

F. Announcements/Future agenda items

Member Crowe voiced concerns regarding the Southampton Road solar farm and the fact it is not well maintained, the grass has not been mowed which is causing an eye sore as well as a threat for fires. She further noted she reviewed the 11-22-17 minutes where the conditions mentioned it should be mowed. The Board agreed to discuss at their June 16th meeting.

Member St. Hilaire also inquired about at 402-410 Southampton Road status. Planner Vinskey informed him there is a rumor they will be coming to the board with a new development.

Planner Vinskey stated the June 16th meeting will not have any public hearings as the Municipal Vulnerability/Climate Resiliency report presentation will be on the agenda.

Member Crowe also noted the Council has approved the mural to be located on Taylor and Hedges Avenue. Chair Carellas thanked Member Crowe for her good work on the mural. Member Crowe thanked the Council and Councilor Figy.

The meeting was adjourned at 8:27.

APPROVED