



City of Westfield

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

September 5, 2023
City Council Chambers

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

Chair Carellas opened the meeting of the Planning Board at 7:00. Audio speaker difficulties within Chambers were noted.

A. Public Participation

Chair Carellas asked if anyone would like to address the Board. None

B. Review and approval of previous meeting minutes (8/15/23).

Member Crowe MOTOINED, seconded by Member Magarian to approve. All in favor.

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

D. Public Hearings (and possible deliberation and decision)

- (Continuation) Sovereign Builders, Inc. for a Special Permit/Site Plan/ Stormwater Permit per Zoning Sec. 3-120.3(6), 6-10 & 4-110 to allow for a self-storage facility at 109 & 121 (portion) Medeiros Way/parcels 63R-14 & 15 (portion), zoned Bus. B & Ind. A

Presenting the proposal to the Board was Rob Levesque of R. Levesque Associates. They have been before the Conservation Commission and received their Order of Conditions, there have been minor changes to the stormwater since the last time. Other changes incorporated in the plan were 10 - 15 feet was added to the turnaround for vehicles, further clarification regarding the zoning issues, specific to the use, they have met with the planner and had conversations about what can and cannot be done. The contractor's shop in the front will be used for his business; questions about contractors using spaces, these are not contractor bays as you would think of them, strictly if contractor would want to use would be used for a tin knocker and needed to store equipment or materials could store here but not operate from here. If they wanted to do that, they could come back for an amendment to the special permit request, clarified in meeting, understood if want to do would come back. Stormwater has been reviewed, updated plans provided that show the revisions.

Members Goyette asked if units had lights only, no outlets? Correct.

Member Salois noted the GIS maps whole piece of property within water resources district except for a little piece on edge. If piece falls in water resource, according to zoning a self-storage is not allowed if any property is considered water resource the whole area is in the water resource district.

Mr. Levesque - The Water Resource District has language when a portion is clipped by the resource protection district what performance standards are. When they are within the polygon, they are required to meet the standards and arguably it would be prohibited, if it falls within that area. The work being proposed does not fall within that area. Mr. Levesque read the section of the zoning ordinance.

Member Crowe asked if the plot of land is within the land of water protection area? Yes. Mr. Levesque further added if anything is touched or disturbed within the pink area of the Water Resource Area would trigger aquifer protection, the portion they will be using is outside of that legal area.

Mr. Levesque further stated they are not disturbing anything in the Water Resource Protection District, there is no alteration or development in the district, the district is described as Zone 1 and Zone 2. They are not in it. They are next to it. They are not disturbing anything in the Water Resource Protection District, there is no alteration or development in the district.

Chair Carellas stated he does not like it, but he understands what is being read, because they are not building within water district, it doesn't trigger this, if it were to do anything in there, the whole property would go in, it could be just a 4 x 4 box.

Planner Vinskey gave a brief history of when this ordinance was being drafted. The ordinance as first proposed was changed, the compromised language - triggered only if disturbed- is what was approved. Chair Carellas asked if this is a hard line or a floating line? Planner Vinskey informed him this is a hard legal line; the alternative would have been to extend the district line to a wider swath.

Member Goyette asked how the alteration is different than the previous one? Mr. Levesque informed him it was mostly housekeeping; the width of the back yard was changed by 10 feet and the stormwater questions were addressed.

Chair Carellas asked if what is stored can be controlled? Mr. Levesque responded that the Conservation Commission gave them a specific list which addressed their concerns, he stated the did not have a copy with him but mentioned a few. No noxious materials, the renters of the units are aware of what can and cannot be stored in the units. Planner Vinskey noted the draft conditions on the share drive has all the conditions from the project on North Road. Member Goyette felt there should be a higher level of scrutiny, the tenants should be read the riot act, and be aware of what can and cannot be stored.

Chair Carellas asked about the hours of operation. Mr. Todd Cellura stated he would not be open later than 10:00, he would like some flexibility, he would be fine with conditions. He further noted without having operated a facility prior he was unsure of what the hours would be. The area would be fully camera operated and remotely visible. Mr. Cellura stated the offices would be staffed 6:30 - 4:40, there are also extensive cameras down the aisle ways. This facility has no houses nearby.

Member Bowen also noted how he interprets the aquifer piece. He felt if they were to devide the property and take the aquifer piece out that would allow them to develop the piece the way they want to. Mr. Levesque stated they have not looked at that, they meet the zoning regulations, they feel strongly they don't need that.

Mr. Cellura explained he has 5 staff members and employees who come and go for tools and equipment, such as ladders, staging equipment, sometimes slumber, windows, doors, storage items for construction.

The Board asked about the fencing area. Mr. Levesque showed the front gate area. Mr. Levesque explained the fence goes around perimeter it, incorporating buildings as a barrier as well. Member Crowe asked if anyone would be able to get behind the buildings. Mr. Levesque stated all access will be from front of the buildings. There is no outdoor storage proposed, no outdoor storage was agreeable as a condition.

Public comments were invited.

Matt Rokosz - felt things are getting squeezed in how many storage yards does Westfield need? 4 more have been put in since he put his in 2019. He is trying to further his business.

Chair Carellas read a letter from Maryann Babinski - 114 Rogers Avenue - she was in opposition to the project, and she referenced parts of the Water Resource Zoning Ordinance.

Mr. Levesque suggested perhaps clarification from the law department regarding the aquifer would be in order and stated he would be happy to request a continuance.

Chair Carellas felt this was a wise move. Planner Vinskey felt the ordinance is clear, as Mr. Levesque explained it. Member Salois felt the ordinance was clear the other way.

Chair Carellas agreed with Planner Vinskey he felt the ordinance was clear, but he felt the Board should continue and ask for the Law Department's opinion. Consensus noted. Planner Vinskey said he would review the minutes when the ordinance was presented.

Mr. Levesque stated he would be happy to share the lease with the Planning Board as well as their spill prevention plan if the Board so wishes. Planner Vinskey further added aquifer or not

there is discretion under the special permit process, groundwater comes into play. Further, it can be done under the special permit to exempt any aquifer prohibitions.

Member Salois felt the plans submitted should fit the ordinances rather than changing the ordinances. Mr. Levesque stated they are following the rules, people are trying to create projects and regulations are very stringent, they have to follow the rules, there is an order of conditions from Conservation Commission they have met every performance standard, they follow rules and meet the rules, they are not playing with the rules, if you don't like the rules you should talk to the council and have the rules changed.

Member Magarian MOTOINED, seconded by McEwan to continue to October 3, with a legal interpretation requested. All in favor.

- Centro Heritage SPE6 LLC for a Special Permit per Zoning Ord. Sec. 3-120.3(8) to allow a veterinary hospital/pet kennel at 231 E. Main St. (Westgate Plaza), zoned Business B & Floodplain

Mr. Marc Newman of Brixmor Property Group, for Westgate Shopping Plaza for a Special Permit to allow a veterinary clinic to be in a PetSmart Store. They have a signed lease to take over the Staples building consisting of 20,500 s.f. space, the uses are all permitted, except for the portion of the veterinary clinic, that portion of the operation is about 10% of the total square feet.

Mr. Brad Loucks from Petsmart addressed some of the questions from Board members. There would be no overnight service. People would call and make appointments, there would be no dropping in. There can be 10 -20 pets seen per doctor in a day, there are generally 2 - 3 doctors a day, he has never seen more than 3 doctors. Members asked if there could be 60 pets a day? Mr. Marx replied yes but it would be very rare., expect somewhere between 1 and 2 doctors. Member Crowe asked if there would be surgeries? Minor surgeries? Mr. Loucks relied depending on the doctors they could be major surgeries; they partner with emergency clinics if an overnight stay is necessary. Member Magarian asked if the Veterinary portion of the store is closed off? Yes, closed off. Member Salois asked if the only entrance was through the store? Correct. Grooming? Mr. Marx replied the grooming section is not part of the veterinary service, it is in a different part of the store, they are separate spaces within the store. The Board asked if there would be adoptions also? Mr. Loucks said he could not speak to that; he specializes in the veterinary section of Petsmart. Mr. Loucks confirmed no overnight stays.

Public comments? None.

Chair Carellas asked if there was any news on the entry/connection between the 2 properties? Mr. Newman stated they approached the adjacent property owner and asked if they wanted to work with them to work something out at that time they were shot down, they have not approached them since. Planner Vinsky also noted on the KFC project the Board required stripping on the new entrance and it still not completed, he noted it was not this property but the adjacent property.

Members reviewed the draft decision; add no overnighting as a condition.

Member Bowen MOTIONED, seconded by Crowe to close the public hearing. All in favor.

Member Bowen MOTIONED, duly seconded to approve the special permit.

Member Crowe	-	Yes
Member Salois	-	Yes
Member McEwan	-	Yes
Member Bowen	-	Yes
Member Goyette	-	Yes
Member Magarian	-	Yes
Chair Carellas	-	Yes

- Lockhouse Development LLC for a Special Permit/ Site Plan/ Stormwater Permit per Zoning Ord. Sec. 3-70.4(4), 3-70.6, 6-10 & 4-110 to allow a multifamily development of 66 units, exceeding 35' ht. at 0 Lockhouse Rd. (parcel 230-18-1A), zoned Residence C

Presenting the proposal to the Board was Robert Levesque of R. Levesque Associates, representing the application of Mr. Joe Kelly. There was a recent zone change on this property to Res. C to allow for housing.

Mr. Levesque stated he received comments from Planner Vinsky, and he has looked at changing the site plan. One of the questions was changing the circulation on the long linear road proposed. He also requested pedestrian crossings be added.

Mr. Levesque asked to bank parking. 2.2 spaces/unit required; if went to 1.5 per unit could easily forego one parking lot and do open space instead and add pickle ball courts? Introducing project because will be revising it. Looking for some feedback.

Vinsky suggested all required parking should be shown/ designed, but that it needn't all be built if the Board is OK with that. He felt it should not be a tradeoff for parking or open space, so perhaps the unit count should be less to allow a project that shows adequate facilities/yard space and capacity for all required parking. A new site plan was displayed by Mr. Levesque

Member Goyette inquired how many units would be new lay out permit? Mr. Levesque stated they could get 87 but would like to do 82. Mr. Goyette asked about the percentage of coverage on the lot? Mr. Levesque informed him they do not have the building elevations yet; they are asking for a waiver on the height. The number of bedrooms would vary. Most of them will be 1 and 2 bedrooms there might be some studios, there might be a few 3 bedrooms because of marketability, the number of stories might be adjusted from 2 stories to 3 stories.

Chair Carellas stated he would like to see the recreation area and the parking spaces. He further stated he would like to get as many trees as possible between the site and the track, he further felt that there should be some fence in there.

Member Bowen felt there should be a new design submitted, to show how they would look. He further voiced concerns that there be no overflow, no on street parking. Mr. Levesque to go back to the drawing board asked for a continuance for 2 weeks. It was noted the Board would not be holding a meeting in 2 weeks, the next meeting of the Board will be October 3.

Member Magarian felt half of the back parking lot should be left for a turnaround. Member McEwan felt there clearly is not enough recreation space, there will probably be more than 100 kids, he was unsure this meets the recreation requirement, won't meet the parking either, he felt they should think about scaling back.

Mr. Levesque stated he hears what the Board is saying, the Board would deviate from 2.2. Member McEwan felt that 82 apartments are too many, he felt there should be 2.2 spaces per unit, Member Salois also mentioned holidays and parking.

Chair Carellas felt there should be less units and more green space. Like to preserve as much play area, will see a lot of kids there, need turn around, people move in, stay few years and buy house if do correctly that is the plan.

Chair Carellas invited public comments and noted we don't have set plan, concept only.

Joanne Wiggin, RI -Trustee for a piece of land on Lockhouse Road.

Ms. Wigan addressed the Board; she comments that she agrees with a lot of the issues that were brought up. In regards to the playground, a lot of kids are there it's important to keep the kids safe. She further mentioned she did not see a design for the pond area, she felt there should be fencing around it as well as fencing along the train tracks. She further asked when were the monitoring wells on the property and when were they installed and last checked?

Mr. Levesque replied to the stormwater basin originally proposed will be underground, which is consistent with recreation, there will be a lawn panel instead of an open basin. There are also monitoring wells, environmental risk factors were done, he further noted he has copies of that and can provide that, no further study is required.

Ms. Wiggin also asked if there are any plans for how the traffic will be handled. Plans for increase in traffic. Chair Carellas informed her that is not within the Board's purview. The bridge is for cars only and it is a one way. Was the PVRR notified? Planner Vinskey replied all abutters listed on the list received from the Assessor's Office were notified.

Mr. Levesque replied to further questions:

There are no plans to improve the drainage system. The project is designed to handle onsite water up to and including the 100-year storm. The outfall heads to the west, will not increase the amount of water coming off site, must match pre and post. No plans to mitigate traffic. The Conservation Commission has the regulatory boundaries for determining the wetland boundaries. There are no wetlands resources within 100 feet which is jurisdiction or perennial stream within 200 feet. Mr. Levesque didn't remember the elevation of the road vs. new; cut in.

Paul Nadeau 12 Lockhouse Road - Voiced concerns regarding the traffic concerns, a lot of tractor trailers up and down road, some get stuck crossing bridge. He was originally told there would be 66 units, now it's 82. The Willows only has 62 units. He was told there would be 2 stories now he is being told there would be 3 stories. The traffic is a big issue. Goes down to 1 lane. Member Goyette asked if buses go over the bridge? No.

Susan Nadeau - is there a playground? Pet friendly/dogs? People that live in the neighborhood have dogs, the Willows allow dogs to a certain weight, there are dog stations there. She is concerned because the road has a sidewalk only on one side.

Mr. Levesque replied he didn't think there were plans to restrict dogs entirely, they had not gotten that far.

Mr. Levesque asked for a continuation. Member Salois MOTIONED, seconded by Member Magarian to continue to October 3. All in favor.

- Zoning map amendment - 3 Fowler Street Extension, 81 Union St.

Mr. Robert Levesque of R. Levesque represented the petition of Mr. Ron Schortmann. He has been before the city for zoning request changes for 2 properties over the last few decades. Several businesses have been consolidated into these zone changes. A few of the abutters have asked that their property be purchased.

Boise Cascade currently has an office building they currently have parking but would like to expand the parking. The land they will be using is the former land of Becky Fisk. Mr. Schortman came to an agreement with Ms. Fisk and purchased the property, the house has been demolished the parking area will have overflow for snow and parking. Mr. Levesque also added they will have to go before the Council as well.

Members Goyette and Salois felt this makes sense. They felt this would help to clean up the area.

Public comment was invited.

Kate Shapiro - 87 Union Street - voiced her concerns regarding the construction work/demolition of the houses because it has been very destructive to their lives. She has young kids, and it shakes her house. It has affected their peace of mind, noise level.

Mr. Levesque noted the demolition was going on there, if anything is planned, they would have to come to the Planning Board. Currently they anticipate coming to the Planning Board with a parking lot which will be located on Fowler St Ext. lot. Mr. Levesque further noted they have no plans for construction at 81 Union this time.

Margaret Jacobus - 91 Union Street - Owns a house with 2 family, here 39 years in December. Watched neighborhood change from woods to buildings, she has come to previous hearings and spoke in favor. She believes in jobs. She has seen Mr. Schortmann work with the neighbors.

Member Bowen MOTIONED, seconded by Member Magarian to send a positive recommendation for the zone change to the City Council on both parcels. All in favor.

E. Other Business

- Compliance review - 264 Lockhouse Rd. self-storage

Mr. Matt Rokosz came to the Board to update the Board on questions regarding his self-storage facility; explained to the Board he was not able to get another reprint of what is going on at the site as his engineer is on vacation. He presented the Board with a color-coded sketch of the property.

In 2019 he was approved for a storage yard, there was a 5-year plan to expand the operation which was approved. The expansion is the section where he is going forward towards the road.

It is still under construction, he added there were a couple delays getting containers, with banks and insurance. He added he had 17 units available to start with, now he is expanding, after this there will be 65 rental units and also outdoor storage for campers and boats.

Member Crowe stated she took pictures along the front entrance weeks ago and inquired about the fencing along the front entrance. Mr. Rokosz added the reason the gate was not up was because they needed access to place the storage units in there. The entry gate will be off of Lockhouse Road and will be moved forward. Been in touch with CT tree to do arborvitae work. Fencing will be 30 feet off the road.

Member Salois added the original site plan showed containers in back and front area for open storage, no containers on front. Mr. Rokosz stated he was going to come forward with containers and campers on front. Mr. Salois noted it was not on drawing; the application that was submitted did not say anything about adding 8 containers to the front. Mr. Salois felt the fact you want to be able to expand in the future, he felt the Board would not have approved a blank check. Member Salois also mentioned there were trees in the front he had hoped could have stayed but plan shows them removed.

Carellas asked if there was discussion about adding units down the road and if the video from 2019 was available? Planner Vinskey added the Board talked about phasing but recalled it would be in the back area. Member Salois added the plan shows them all in the front section. Planner Vinskey added if that is something the Board wanted to do it should have been part of the permit/plan, it was not included in the permit, the question before the Board is this modification something the Board can decide is a minor change or come back to the Board for a formal amendment.

Member Crowe mentioned the front driveway was supposed to be tarred so there would be no debris coming from outside to the road, there currently is trap rock. Planner Vinskey noted states front part is paved. Mr. Rokosz added the first 20 feet of the apron.

Planner Vinskey added he should not be operating until it complies with the approved plan.

Member Goyette asked the question is does the Board consider this a minor change? Or does the Board want them to come back with a formal application.

Following the above discussion, the Board agreed the applicant should come back and the plan should reflect what the applicant is looking for as it will be totally built out, as formal amendment. Planner Vinskey also informed the Board the outdoor/vehicle storage yard went through the Council. Member Crowe asked if he could continue to fill the storage units? No.

Mr. Rokosz stated he would like to file for this fall but would want to continue fencing and do landscaping. Member Bowen felt the plan doesn't show anything originally proposed, can't approve that. Planner Vinskey felt he would think the Board would want to see arborvitae screen across the front, thinking about planting season now. Chair Carellas agreed but the applicant cannot do anything until he comes back to the Board. Planner Vinskey noted as the plan is not complete, he will let the enforcement know the Board is anticipating an amendment to the plan and the applicant should not be allowed to have any further use of the storage facility.

F. Announcements/Future agenda items

Member Bowen suggested signs should be placed at sites in aquifer area, that there are regulations that apply, please be respectful of the surroundings, etc. Vinskey felt this could perhaps become a standard condition.

Member Salois asked about the MEPA notification regarding the new project for Target site. Planner Vinskey informed him they will have to come to the Board for site plan, special permit anyway, but members could individually comment to MEPA if they wished.

The meeting was adjourned at 9:34.

APPROVED