



Westfield

City of

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

September 7, 2021
City Council Chambers

X PB MEMBER PARTICIPANTS
MEMBERS ABSENT

STAFF

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

- X Jay Vinskey, Principal Planner
- X Christine Fedora, Secretary @

A. Public Participation (on any matter not subject to a public hearing)

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

B. Review and approval of previous meeting minutes (8/17/21)

Member Crowe MOTIONED, seconded by Member St. Hilaire to approve the 8/17/21 minutes. All in favor.

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

- 0, 29 Bayberry Lane/Kafanov, Shpak

Planner Vinskey informed the Board this is for adjusting a side lot line and will make a non-conforming undersized lot more conforming. Member Crowe MOTIONED, seconded by Member Magarian to approve. All in favor.

- 151 Rachael Terrace, 37R-13 (at Grandview Dr.) Cook, Sodi, Inc, Witherell

Planner Vinskey informed the Board the applicant is shifting lot lines between 3 lots, there is adequate frontage on all lots. Member Crowe MOTIONED, seconded by Member St. Hilaire to approve. All in favor.

- 0 City View Road/Liptak

Planner Vinskey informed the Board the applicant is combining separate lots into 1 parcel. Member Crowe MOTIONED, seconded by Member Bowen to approve. All in favor.

D. Public Hearings (and possible deliberation and decision)

- Special Permit - 121 Medeiros Way - motor vehicle sales/ Water Resource District.

Planner Vinskey informed the Board the applicant was unable to attend the meeting tonight, he further noted the application is still within the 35 day review period for the aquifer review. Member Magarian MOTIONED, seconded by Member Bowen to continue to October 5, 2021. All in favor.

- Special Permit - 14 Delmont Ave. - motor vehicles sales

Mr. David Lecrenski addressed the Board. He currently operates a bus company in Westfield and stores vehicles at the same location, he would like to sell surplus vehicles. Member Magarian asked where he currently stores the equipment? Mr. Lecrenski informed the Board he already has the equipment on the lot and also leases some property as well as operates a Mass Inspection Station at the premises. He further noted they do some work on vehicles in some of the buildings. Member St. Hilaire asked if he would be purchasing additional property? Mr. Lecrenski stated they already own the property but did mention he does lease a piece of property across from him.

Member Crowe - where will the additional vehicles be stored? Mr. Lecrenski noted they would put them where they are. Mr. Vinskey noted the application is 14 Delmont and that is the only location where sales would be permitted. Mr. Lecrenski stated the busses are in the rear, the vehicles for sale will be in the front of the busses. Mr. Lecrenski further noted they have a surplus of equipment. Probably will bring some in when don't have the full amount. Member Crowe asked if they would be cleaning vehicles? No, most operations don't, they bring them down to a car wash, not an issue.

Member Bowen asked if the Board approves would he still require a license. Planner Vinskey informed him he would still require the license, this is just for the sales use.

Public comments?

Charlotte Oleksak - noted the special permit application says the area is commercial but she noted there are residential areas in the neighborhood, children in the neighborhood. Currently they are operating from 8 - 4 Monday - Friday, will they be extending their hours to the weekend and nights? She further noted that they store surplus currently behind her lot and moving in front of Delmont, she does not want a junk yard in her neighborhood.

Richard Rill - Direct abutter on Delmont and Clifton Street. Mr. Rill stated he didn't see any problem, there is no obstruction on the street. The drivers park in the lot across the street there should be no problem as long as they park in there.

Mr. Lecrenski noted the hours would be the same as they are now, 8 - 4. Inspection station hours. The sales hours would be same. Member Magarian asked if there would be Saturday and Sunday hours. There would not be Saturday and Sunday hours. He further stated this will not be a junk yard, this will make things move quicker he also added there are other businesses located in that area. Discussion regarding where the cars would be parking.

Member McEwan noted there are about a half a dozen activities currently down there, and noted that nothing is defined as to what's where, he felt this is something the application should address. An area should be defined for selling cars, parking lot lines he further stated he would not be opposed to it as long as a limit is put on it.

Mr. Lecrenski showed where he would be selling his vehicles on the GIS system.

He noted there is enough room to display cars in that area, he only has the bus company and State Inspection.

Member Salois asked if the equipment is being sold on both sides of the street. Mr. Lecrenski stated he could put it on one side if that is what the Board wants.

Planner Vinskey noted use for the motor vehicles storage is under the City Council, the Planning Board's portion is just for the sales; assuming the existing storage component is permitted properly. Member St. Hilaire voiced concerns about way looking at the plan he could have 12 for sale and 30 across the street. Planner Vinskey noted the Board could condition it as to something like all sales vehicles within the location of 14 Delmont Street, but vehicle storage may already be allowed regardless. Member Goyette asked how many vehicles would be for sale? Around a dozen. Bob limit to a dozen good. No chance for raising it? Member Bowen asked what the time frame is 12 per month or not to exceed 12 vehicles for sale at once. Lecrenski if limit would be 12, 12 units sold or displayed?

Planner Vinskey noted the application states 12-24 vehicles, but 6 -10 on average, he further noted the motor vehicles license may have some limitations as well. Planner Vinskey noted on the most recent permit the Board didn't put conditions on quantity, but deferred it to License.

Member Crowe voiced her concerns about what type of vehicles would be stored there, would it look like a junk yard? Mr. Lecrenski stated they would not be buying cars they won't be able to sell. Member Bowen also noted the state licensing will tell them how many they can sell.

Member McEwan felt the Board would be waiving just about everything under site plan review, he felt there should be a map with defined car sales area and a limit as to how many vehicles. Planner Vinskey noted it is not a site plan application, but the Board can ask for one if they want. Members Goyette and Carellas agreed they should also include the number of cars.

The Board asked the applicant to submit a better sketch defining where the car sales area as well as the parking as well. The Board further asked if he would be selling only off of 14 Delmont Avenue? Mr. Lecrenski stated sales would only be at 14 Delmont Avenue.

Member St. Hilaire MOTIONED, seconded by Member McEwan to continue to October 5, 2021. All in favor.

- Zoning Ordinance Amendment (petition of the City Council) - allow taprooms/ accessory sales and service uses in the Industrial A District

Presenting the petition to the Board was Ward 2, City Councilor Ralph Figy. He stated this revision request has been brought at the request of Kismet Brewery Company. They are looking to allow for a tap room so people can sample their beers as it is allowed at other breweries, though they are not located in an Industrial A zoning district. He further noted if the zone change is granted they would still require a permit from the state. Councilor Figy further noted a tap room can only offer beer that is manufactured on site, where as a bar room can offer a multitude of varieties.

Planner Vinskey noted this change is being brought forward district-wide and not for the specific business. Member Magarian inquired as to what the difference would be from entering into a tap room versus a bar? Councilor Figy replied there would be no hard liquor, no beers on site that aren't brewed at the tap room. Member Magarian asked if there would be food? Sometimes there is food and sometimes not.

Member Bowen asked if there should be some kind of thought as to the location and if there should be review of adequate parking. Planner Vinskey noted the building inspector would review based on the use proposed. He further noted they would have to meet parking and zoning requirements regardless.

Public comments?

Mark Steven Dupuis - In favor of idea, popular in California. He further noted he will be proposing cannabis consumption in Industrial A. Chair Carellas noted that would be talked about at a later time.

Dave Flaherty - 7 Marla Circle - Addressed the Board as a citizen, he felt these are wonderful, has been to a few of them. The Skyline and Tin Bridge are fantastic places, he encourages the expansion to Industrial A.

Maryann Babinski -114 Rogers Avenue - an email letter from Heidi Leonard 156 Root Road. Ms. Leonard felt that instead of changing the ordinance they should look at individually under special permit review; opposed allowing the permanent change to the Industrial A zoning.

Ms. Babinski then spoke for herself. She voiced concerns this might set a precedence for all IA, making a change to allow for one business to be able to open as a taproom and sell merchandise in IA which is not allowed now. She felt other businesses might reference this change by saying it's a precedent, she was concerned about the process being driven by one business.

Councilor Figy noted the parking will be addressed by the building inspector she will make sure meets all requirements that needs. Process is what process is, if people aren't happy with process needs to change process and its not uncommon for a specific issue to lead to zoning changes. He thinks its good for Industrial A, hopes for a favorable review.

Member Salois felt by making this a by right in IA might have issues, would be more in favor with a special permit rather than a by right. Industrial A is designed for industry. While a brewery is a good industry he was not sure of taproom, think should have control of that.

Member Goyette felt there is still control with site plan approval. Planner Vinskey noted restaurants are allowed in IA by right; if thinking about traffic concerns, already that type of use allowed. It's the city's opinion alcohol as part of a restaurant use would be allowed.

Member Goyette felt it was a good idea, understand not just for them everything in IA, and has full support. Member Bowen inquired as to the definition of taproom? If already a brewery? Planner Vinskey noted the proposed wording specifies it for products being manufactured, produced or wholesale etc. on the property.

Member Crowe was in favor, visited many places. No problem with it. Member St. Hilaire in favor as well.

Member Magarian had no problem but felt entertaining the thought of a special permit for each individual case. Member Salois felt a special permit should be added rather than opening it up to all IA at this point, he felt the Board should think about this before they go ahead and do it. Member Goyette further noted the Board would make a recommendation and council will amend. Planner Vinskey noted marijuana shops are by right in Industrial A.

Member Goyette MOTIONED, seconded by Member Crowe to send a positive recommendation to the council for tap room in IA. The Board discussed the possibility of adding considering to the special permit provision. Member Bowen asked under what grounds could the Board deny the special permit of one application and not another? Member Salois said if it's not suitable for the location such as too close to a church, or school.

Chair Carellas noted there was a motion on the floor for a positive recommendation for a by right use.

Member Crowe - yes

Member St. Hilaire asked for clarification on the vote? Is this for a by right use or for consideration of a special permit? Chair Carellas replied it was for a by right use.

Member Crowe stated she would rather have a consideration, she changed her vote to a no.

Member St. Hilaire voted no, without that consideration

Chair Carellas - yes

Member McEwan - yes

Member Goyette - yes

Member Magarian - yes

Member Bowen - yes

Associate Salois also voted no as a by-right use.

Planner Vinskey stated he could note to the Council that dissenting votes were because they preferred a special permit be considered, otherwise they were OK with it. Agreed.

E. Other Business

- Servistar Realities, LLC - Data Center Project, off Servistar Industrial Way - M.G.L. 121A filing review

Chair Carellas informed the room this is a filing review, there will be no public participation. The public hearing will be held on September 16.

Jeff Daley, President and CEO of West MA Development Corporation approached. He was hired to put together the project known as Data Center Project. The plan for this evening's presentation is to review the project and plan roll out for the permitting process. Mr. Daley thanked Mayor Humason, Peter Miller, and Jay Vinskey for their assistance. There are time limits on this project. Mr. Daley mentioned a few of the reasons why this project is an appropriate project for the city as well as the region. The north side has always received a lot of truck traffic and this has been a major concern of the residents of the north side, this project will have limited impacts on the traffic on the north side. It will also have a positive effect on the city's financial side, employment and future education. The presentation tonight is an overview of the joint public hearing scheduled for September 16, 2021. Mr. Daley further noted there a lot of talk that this is not real. He noted this is real, it is an expensive investment, real project and really competitive, Westfield chosen for primary site, real industry, happy to bring this to you tonight.

Mr. Daley introduced team members: Jane Mantolesky, Atty. from Fitzgerald at Law from E. Longmeadow, MA; Erik Bartone (not present); John Farnfair; Paul Corey. Mr. Corey presented the members with copies of the presentation.

Westfield data center campus is a hyper scale development on the north side. They have contracts to purchase 15 parcels, consisting of 155 acres, plans are for 10 data center buildings,

2.74 million s.f. of data space. There are wetlands on the area, habitat for eastern box turtle that was consideration of the project while mitigating the environmental impacts.

Mr. Corey gave a history of Servistar Realities, it was formed as a special purpose data center acquisition and development company and has been in existence for about 2 years. He further noted they have looked at other locations in MA, CT and RI, after checking out the other locations they focused on Westfield over a year ago. This is an ideal location for the company.

Mr. Corey stated the data center industry was escalated by COVID. VA is has the world leading interconnectivity hub and handles 70% of all internet traffic it is located outside of DC. It has become the fastest growing area in data center industrial for a lot of reasons, the low energy cost, tax policies, a lot of financial services have moved from NY to NJ, they see this as an opportunity for Westfield to have a data center for MA. He further noted that Boston does have some but at a much smaller scale and much higher costs.

Mr. Corey then reviewed the building designs. The buildings will be high quality modern buildings, they have a very long service life, each building will have campus design, data hubs, office space, conference rooms and 24 x 7 security.

The site selection criteria was reviewed: Energy costs & reliability, Property taxes policy, Sales and Use Tax, Regulatory Environment

Currently there are 31 states offering tax incentives to attract data centers to their area. CT was the first New England state to offer significant incentives for data center market, he noted it went through in lighting speed, 30 years property tax exemption and 30 year and sales tax that met a criteria. Being from CT he has never seen anything pass legislature that quickly, projects have to negotiate a host community agreement with local community, they do have a 30 year tax exemption that was put in place. Putting pressure on them on time frame. Focus on CT and things they have recently implemented, critical maintain aggressive time line to get through local approval as quick as possible.

Member Bowen asked about exemptions for property and sales zero for zero? For sales tax it's zero and for property tax they have exempted the projects from property tax but will need to negotiate a host agreement with the city.

Why Westfield? Evaluated sites, transmissions interconnect on the site 2 - 115 kb transition lines that run through the site, one of the lines were upgraded that Eversource competed, the availability of electricity was critical at the site, they also considered G & E important component of the project and has had a number of discussions with G & E. expect a contract with them on those components. Intend to employ cost management in managing load to bring down costs to competitive level relative to the industry.

Geographic location of Westfield, great location, close to NYC, NJ, Boston, CT access of 34 million people, one of the big drivers is bring data centers closer to the users. Location key consideration, adjacent local airport, 99 miles from Logan, Bradley, getting here another positive factor.

Economic development benefits. Preview of 121 A and 6A agreement in terms of benefits to project, long term property tax support to the community, phased in project 12 -1 8 years, first phase center, accessory building and on site substation that will be constructed to tap into the lines, as building goes up projecting out about 18 months new building will be constructed. Average annual property tax payment over the 40 year agreement is over 8.5 million, after full

build out it will exceed over 11 million dollars on average and result in over 350 million dollars of property tax to the city over the term of the agreement. Jobs substantial roughly 40 jobs per building, over 400 full time jobs, annual salaries over 100,000. Plus partnerships with local institutions, indirect jobs through a facility like this over 1200 plus jobs. Substantial amount of construction jobs 1800+, continuous construction thru build out.

Economic expansion opportunities tremendous, hyper scale industry goes in clusters, data center companies like to be close to other areas and companies work with them like to work closely as well.

Westfield industrial park in close proximity these type of businesses will attract other types of businesses that will help to support the development at the Industrial Pay. See a great opportunity to partner with the G & E.

Key considerations: Energy cost, Property tax agreement, Long-term property tax agreement, Local approvals, Sales tax pursuing incentives will be looked at, MEPA process, Permitting, Planning Board & Conservation

Atty. Jane Mantolesky reviewed the 121A aspects:

When built out 6A agreement is what enables the city and developer to enter into a PILOT (payment in lieu of taxes) agreement in MA is 121A, which allows the city and developer to negotiate. Under MA General Laws 121 A there needs to be public purpose, done on either blighted open or decadent or substandard, properties. In Westfield these parcels are blighted, open; she read the state's definition. She further noted that there have been attempts for build out on these parcels and they have failed for one reason or another a data center is the perfect use for these parcels as they won't include too much truck traffic and will seek to make a significant change in the economic conditions which will help make a substantial change to parcel and tax payments to Westfield, another part of the 121 A is the cost unduly expensive to develop there are extensive on these wetlands. There are also 15 parcels with 10 owners.

She next explained the process under 121A. There will be a joint Public Hearing between the Planning Board and the City Council. Following the hearing the Planning Board is to make a report saying whether this meets the requirements for a 121A project. She reviewed the findings that must be met:

- Project area blighted, open, substandard or decadent
- Not in contravention of zoning, subdivision, health or building ordinance
- Does not conflict with the Master Plan
- The project is not detrimental to: The interests of the public or city, The best interests of public safety and convenience
- Project is consistent with the most suitable development of the City of Westfield.
- Project constitutes a public use and benefit to the City
- (not applicable) Housing is available for displaced occupants.

Following the receipt of the Planning Board's findings of Approval/Disapproval of the project the City Council will review as to whether they agree with the Planning's Board's findings on October 21, 2021. Following the recommendation of the City Council to the Mayor, the Mayor to forward the recommendation to DHCD.

Chair Carellas asked about the 11 million dollar payment, is that from the start? Ms. Mantolesky - it would be after build out. Chair Carellas asked why the full build out being done isn't ASAP. Ms. Magarian does the 11 million ever go up? There will be a graduated growth rate, building

one in the next 2 or 3 years. 11 million is the max forever, there is an expected payment schedule in the file which explains the payment over a 40 year term.

Mr. Daley noted there will be an escalator on them. Member Bowen inquired as to who in the city was negotiating. Mayor and legal counsel well as financial. Mr. Corey- property tax agreement obviously whether city welcomes the project was critical to project and development. Extensive discussion with Mayor and office back in March/April. 6A agreement was negotiated; he wouldn't look at as discount, property where project is located, don't think see anything like this ever again, unique opportunity to bring in more tax revenue as possible. Difficult area to develop this project is good for this place, really good team evaluating the wetlands. Once 6A agreement was negotiated had to submit application to HUD that was submitted. 6A component is part of 121A. Mr. Corey agreement negotiated Mayor's office submitted to DHCD. They review to see if meets requirements of 121A, they leave to city to negotiate tax agreement. Transmitted back to Mayor's office in August and submitted to Planning Board and City Council to review.

The taxes were reviewed in year 8 of three of the 10 companies- Home Depot, Lowes, A. Duie Pyle - in 3 billings this project will equal that. Mr. Daley further noted on this parcel of land there are about 60- 70% wetlands, a developer will be challenged to do this project, there are not 155 acres developable land probably more like 90 acres. He further noted they have worked with the Assessors, Legal, Community Development/Planning.

Mr. Corey further added the tax agreement detail will be discussed at the next meeting. They looked at the largest tax payers in the area took average of assessments for those large developments and computed per s.f. assessment and then added 50% premium, assessments are higher than anything comparable in the area. Joint hearing will have details of the numbers.

Chair Carellas asked to review a few of the numbers of employment? Mr. Corey reviewed the numbers for him. Chair Carellas asked why 18 years? Mr. Corey noted it was an estimate it could be sooner, he further noted it could be faster, this is his best estimate. As each center is constructed, key components, each data wall built out as needed. Any chance going bankrupt in year 10 or 12? Mr. Corey - don't seem likely at all.

F. Future agenda items.

Member Bowen voiced concerns regarding a cannabis sign that stated they deliver, he also mentioned a sign on the turnpike. Member Crowe also mentioned a sign for HEKA. Chair Carellas thought the word Cannabis and a leaf on it was not allowed. Planner Vinskey noted apparently the state allows, but stated he was not aware of the details. Members Crowe and Bowen felt they are seen more, and does Westfield permit delivery of marijuana to residents? Vinskey noted not that he was aware of any city delivery business, would likely be defined as a marijuana shop under zoning. Peter Miller, Director of Community Development stated there are 5 different things allowed in host agreement, he further noted at this point those are not in the City's Host agreement, those would have to be negotiated. He further mentioned he didn't think there can be delivery without a retail license but he was not sure. Member Salois asked if the City should be limiting marijuana cultivation facilities? It was decided that discussion will be put on the Board's next agenda.

The meeting was adjourned at 8:55.

