

of the issue sooner. Bert & GPR will research cost-effective options taking into consideration the Board's suggestions. Agreed: Boarded-up windows would be replaced on the 1st floor on the Oak Hill Road side, south side of Bldg. #4, and the Courtyard side of Bldg. #4.

The Board agreed to revisit the issue in a month to review what they propose.

(Ms. Caron recused herself & left the room for the following item due to a potential conflict of interest.)

City Council petitions: - Key Fitchburg, LLC - donation of parcels on John Fitch Hwy.

Key Fitchburg LLC has submitted two petitions proposing to donate several vacant parcels on John Fitch Hwy. bordering Baker Brook to the Conservation Commission and one parcel (which has usable winter sand) to Fitchburg DPW. Motion made & seconded to recommend in favor of the petition.

Vote 6-0 in favor.

(Ms. Caron returned to the meeting.)

PUBLIC HEARINGS

Special Permit & Site Plan Review - Quinilla, 22 Plymouth St., 2-family dwelling in NBD district

Hearing opened. Francisco Quinilla present to request Special Permit to construct two 3-BR units on a vacant 5,000 sq. ft. lot. Room for 4 parking spaces. Ms. Caron brought up concern that lot is not level. Mr. Quinilla would repair retaining wall at rear as needed. During review of plans, parking layout is not consistent with original plan presented to the Board. Parking will be on the right side to the building. Mr. Quinilla is proposing to start ASAP.

Public Comment: None

Motion made & seconded to close hearing. Vote in favor.

Motion made & seconded to Approve Special Permit with conditions:

- Submit revised plan for Planning Board review & approval
- Repair retaining wall.

Vote in favor 6-0 (Mr. Fontaine not in the room at the time).

Special Permit - Garden Remedies, 307 Airport Rd., expansion of Medical Marijuana cultivation/processing

From Garden Remedies: Dr. Karen Muncacy, CEO, Jeff Herold, COO, Tara Hopper, in-house counsel, Karen Hox (security director) and Atty. John Dombrowski, Patrick McCarty (McCarty Engineering) Facility is currently in operation, seeking to expand to 80,000 sq. ft. interior expansion and 30,000 sq. ft. outside grow area (greenhouses). Proposed outdoor grow on the SE side of building consists of five 30' x 215' greenhouses with 10 ft. separation in between for maintenance. They'll have facial recognition security cameras on each corner. Area to be left as crushed stone. Proposed loading dock at rear of bldg. in future. Area will be surrounded by 10 ft. high barbed wire fence.

Board's concerns are whether City Depts. & City Council have reviewed & commented. City Solicitor confirms that City Council approval of Garden Remedies' Host Community Agreement is construed to be approval of the application. All other req'd Dept. comments have been rec'd.

Another issue: Whether greenhouses are permanent structures since MMJ facilities must be in a "structure".

Ms. Caron: City should encourage re-use of vacant industrial buildings by requiring grow facilities to be in an existing permanent structure. After a phone call to the City Solicitor, it was determined that factors to help determine whether it is "permanent" include whether the structure is year-round, if it has water & electrical service whether there's a foundation. The foundation of the greenhouse will be 4-foot deep Sonotubes. The Board agreed that the greenhouses could be considered permanent structures.

Security measures include facial recognition cameras, loud speakers

They are one of the few growers that grow in soil. Currently they are paying for removal of excess soil. Perhaps DPW could use in future.

Atty. Dombrowski: Open grow facility is needed to stay competitive in this industry. The future cost of an indoor grow facility is too high with electricity costs.

Public Comment:

Ralph Baker, Ashby West Rd. If electric bill \$60,000/mo. why not use solar? Roof is not capable of supporting panels.

Atty. Dombrowski suggested bifurcating the indoor expansion and the outdoor grow facility and treat as two separate issues. One is allowing the expansion of the indoor grow facility, the other is permitted the outdoor grow facility as an accessory use to the indoor grow.

Motion made & seconded to close hearing. Vote in favor.

The Board Motion made (Mr. Fontaine) & seconded (Mr. Hurley) to Approve Special Permit & Site Plan with conditions:

- Provide elevations & photos of proposed greenhouses for Board's review & approval.
- That there is no adverse determination by Bldg. Commissioner or City Solicitor as to whether the greenhouses are "permanent structures".
- If greenhouses are not used for more than one year, then must be removed.
- Ten foot high Security fence shall have privacy slats for the first six feet.
- Subject to the standard conditions that are in the other Medical Marijuana Special Permit decisions.

Vote 7-0.

The Board also determined that the proposed Greenhouses will be Accessory to the Principal Structure.

OTHER BUSINESS

Fitchburg Trails Group presentation, Ralph Baker

Mr. Baker has been working with an informal Fitchburg Trails Group for 1½ years. Members include representatives of the Rec. Dept. MRPC, etc. Their mission is to assess, map and describe City's non-motorized recreational trails. A draft tri-fold trails map & brochure was reviewed by the Board. Supplementary detailed maps and descriptions will be available online. Needs final review before making available to the public. It was suggested that trails along McTaggart's Pond & Moran Playground be incorporated into the plan in the future.

Informal review - Native Sun Wellness, Medical Marijuana cultivation/processing, 140 Industrial Rd.

Mark Schuparra, CEO) & Michael Drayer, head grower of Native Sun Wellness present. They will be submitting a Special Permit application for the conversion of a 70,000 sq. ft. bldg. at 140 Industrial Rd. into cultivation & processing of medical marijuana. Building is owned by ModuForm, Inc. who also owns the adjacent 172 Industrial Rd. bldg. Native Sun wants to stay under the radar. Outdoor growing facility a possibility. The Board suggested reading previous applicant's submittals, Board minutes & decisions, and meet all DPH regulations. Abutters are industrial uses, with the exception of Monty Tech which the abutting parcel to the rear. They are about 14 feet short of the 300 ft. buffer requirement. The Board has issued waivers before, but applicant will need to show there is minimal impact on adjacent use due to topography, dense woods, etc. May seek Mayor's help in reaching out to contacts at Monty Tech. Can have a community outreach. The application will be for medical but they are interested in also growing recreational marijuana.

Alpine Rd. future "Rear Lot", Alpine Rd.

Jon Benoit in to discuss possible split of an approx. 35 ac. parcel on Alpine Rd. owned by Horizon Christian Fellowship. The parcel has four approx. 250-foot high radio towers and an access road to them. Proposed is a conforming lot for a future Parsonage and a Rear Lot for a future dwelling for Mr. Benoit. A common driveway will be proposed. Board was OK with proposal as long as criteria in the applicable sections of the Zoning Ordinance are met.

"Oak Hill Heights" subdivision, Fifth Mass. Tpk.

In 2010 the Planning Board approved a six-lot Definitive Subdivision plan submitted by Steve Mullane, Mullane Construction. The approval had a condition requiring start of construction within two years of the approval and substantial completion within three years after that. No site work was ever started on the project. Even with the extended time periods permitted by the State's Permit Extension Act, the time

period to start construction had expired. In the meantime, the City Treasurer has started the process to acquire the six parcels thru Tax Title.

Motion made & seconded to send letter to Mullane stating the approval had lapsed and is no longer effective. Vote in favor.

Minutes

Agreed to defer to next month.

Motion made & seconded to nominate Ms. Caron to serve as the Board's representative to the Montachusett Regional Planning Commission. Vote unanimous in favor.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 9:55 p.m.

Minutes approved: June 12, 2018

Next meeting: June 12, 2018