

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, JUNE 12, 2018**

MEMBERS PRESENT: Paula Caron, Chair Peter Capodagli
John DiPasquale Paul Fontaine, Jr.
Laura O'Kane Andrew Van Hazinga
Amanda Koeck (Assoc. Member)

STAFF: Jacky Scribner, Tom Skwierawski, Mike O'Hara

Call to Order

Meeting called to order at 6:03 p.m. in the Community Room, Fitchburg Fire Headquarters, 33 North St.

MINOR SITE PLAN REVIEW

River Styx Brewery, 166 Boulder Dr. - Outdoor Seating

Jackie & Scott Cullen of River Styx present. They have been trying to do this for a while now, were waiting on zoning ordinance amendment. Proposed outdoor seating area on existing concrete area approx. 450 sq. ft. with border and gate. A total of six tables, fire pits in between. Cameras will be located outside to monitor alcoholic beverage use from inside bar area. Signage and staff monitoring as well. Seating area is not intruding on Handicap parking spaces, sidewalks all the way around will remain as is. They will put up at least three 50 lb. blocks either 24-in. or 36-in. cement pillars to protect seating from parking lot, per License Commission request. Outside area will have twelve planters with birch trees and metal cables in 5-foot lengths. Outdoor seating will be under one large red custom ordered canopy (not waterproof) instead of umbrellas. Hours will be same as brewery: Mon., Tues., Weds. closed. Thurs. 5-11, Fri. & Sat. Noon-11, Sun. Noon-8.

Motion made & seconded to Approve the Minor Site Plan. Vote 6-0 in Favor.

ANR plans

Horizon Christian Fellowship, Alpine Rd.

Dave Sadowski, surveyor presented plan on behalf of applicant, Jon Benoit.

Approx. 23 ac. parcel is proposed to be split in two: a 2 acre "Rear Lot" for a house lot, and the remaining 21 acres (with existing radio towers) for a future Parsonage for the church.

Motion made & seconded to endorse the plan. Vote 6-0 in favor.

MINOR SITE PLAN REVIEW

MART, 1427R Water St. - parking lot expansion

Rob Benoit, MART facilities manager presented plan. Previous plan approved for storage bldg. last year. This project expands their parking to an area where dwelling was recently demolished. Conservation Commission approved plan in April. Net increase of 37 additional parking spaces for a total of 62 spaces. Stormwater will flow into underground infiltration system. Access currently dangerous because the same exit and entrance from Nichols St. Plan will allow use of Nichols St. and Abbott Ave. for access. Work on parking would begin immediately and storage unit work would begin middle of July. Rob estimates that both projects would be completed by end of year.

Motion made & seconded to Approve the Minor Site Plan. Vote 7-0 in Favor.

783 Water St.-Fun Stuff Party Rental

Applicant not present. Deferred to next meeting.

126 Jackson Ave. - Brothers Parking Lots & Roads, paving company

Parcel currently has a house which will be demolished. Use of parking lot is for truck parking for paving company and extra storage. Q: Is it all going to be paved? Yes, that's a condition of the ZBA's decision. Parking lot may have a shed, will not have a bathroom. Sewer connection will need to be capped before demolition. Board pointed out that the ZBA requires no more than four vehicles and current plan shows six spaces. Applicant stated that they meant four big trucks. This will have to be addressed with ZBA Applicant stated that her husband wants to remove some trees from parcel.

7.11.2018

If there are security cameras and lighting, lighting will need to be Dark Sky Compliant due to neighbors. No permanent dumpster will be needed since no one will be living there.

Fencing? Applicant is considering black chain link. Board member recommends vinyl fence. Applicant does not think vinyl is appealing, board is suggesting that vinyl will be more appealing for residential sides. Fencing in front? Possibly a sliding gate. Board advised that there not be enough room for a sliding gate.

Q: Proposed landscaping area? 25 ft. from trucks. Want to add smaller trees, bushes, and mulch. Board clarifies that Applicant could use chain link in rear and back right and vinyl on front and left side. Applicant states she would rather have it all one style, so if the Board requests vinyl, she would do the whole thing vinyl.

Motion made & seconded to Approve the Minor Site Plan with conditions:

- Any site lighting shall be Dark Sky compliant.
- No dumpster on site.
- If installing fence at front of parcel, subject to Planning Board review & approval.
- Vinyl fencing to be installed on left side, per ZBA decision.

Vote 7-0 in Favor.

265 Summer St. Vital Emergency Services

Troy Hebert, general contractor & a rep. of Vital Emergency Services presented plan to convert portion of building that was formerly Midas Muffler, next to Dollar General. They will have 2-3 vehicles there. This will be an addition to their Worcester location. Seeking approval for a 24/7 Emergency Ambulance Service. Interior fit-out includes training rooms, and study rooms.

Since ambulances carry medication they need to be stored inside at a constant temperature.

There will be security lighting. Due to previous improvements the building will not need much renovation.

Q: Will vehicles be serviced on site? No, they have other locations that they are currently using for those purposes.

There will be a limited amount of medical supplies stored in building.

Q: When will sirens be started upon leaving bldg.? Depends on the nature of the call. Will take nearby residents into consideration. This location will serve just Fitchburg and Leominster area initially; they may expand down the road.

Ms. Caron: The Board cannot approve plan showing bedrooms. Mr. Fontaine suggested that applicants change the description to lounge rooms or other description.

Motion made & seconded to Approve the Minor Site Plan. Vote 6-0 in Favor.

PUBLIC HEARINGS

Special Permit-FBC-19-62, LLC, 191 Cedar St., 126 Pacific St., Common Driveway

Continued from 3/15/18. (Applicant & his atty. requesting postponement to Sept. meeting.

Hearing re-opened. Board discussion as to what progress has been made. There seems to be no work done.

Public Comment

Chaudhary Mohammed, 130 Pacific St. showed Board photos of the damage the applicant's work has done to her property. There is now water from parking area seeping into her basement and damaging her fence & garden. Building Commissioner advised her to bring her concerns to the Board. Ms.

Mohammed claims this has been going in since March, she does not see it getting any better.

Nick Shoemaker, 124 Pacific St.: There are cars still parking there and they should not be. Also brought up concerns about cars making possible drug related transactions. Parking area only has stone dust and has no drainage. The Applicant did put up fencing in efforts to please neighbors.

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

Motion made & seconded to deny Special Permit for common driveway due to the following reasons:

- Proposed access easement does not align with proposed spaces for 126 Pacific St.
- Plan as shown does not appear to meet the purpose of a common driveway, but resembles a commercial parking lot with far more spaces than required by the existing structures.
- Also lack of pavement, inadequate setbacks and landscaping, and no provision for adequate drainage to protect neighboring properties.

Vote 6-0 to Deny the Special Permit.

Special Permit Modification - One Oak Hill Road, Revolutionary Growers-expand Medical Marijuana grow/processing facility into Bldg. 5 by 25,800 sq. ft.

At the request of the applicant, Hearing postponed to July meeting.

Bert Vining, Revolutionary Growers & Kyle Burchard, Greenman-Pedersen gave an update on progress since last meeting. Meeting w/ residents of Anwelt Heritage Apts. held. Flower & vegetable garden & three picnic tables installed. Construction workers are now meeting at different location in morning to address noise concerns of residents.

Board expressed satisfaction for replacement windows. Motion made (Mr. Fontaine) & seconded (Mr. Van Hazinga) to affirm the Board's decision on the prototype of replacement windows (with painted wooden mullions) that have been installed. Vote 7-0 in favor.

Bert agreed to replace 1st floor windows on Oak Hill Rd. side of building, the southerly side of Bldg. #4, and on the courtyard side approximately 15 windows in between the blue doors. Treatment of Building 5 windows to be discussed at the next meeting.

Special Permit - Patel - 767 River St. Convert 1st floor store into apartment

Hearing opened. Mr. Patel & nephew are proposing to turn the 1st floor (formerly a convenience store) into a 2-BR apartment. The store has been closed for months. Currently there is a 3-BR unit on the 2nd floor. . Current tenants have one car.

Board: Problem - Cannot use sidewalk for parking, on-street parking not possible due to its proximity to intersection (would require 20-ft. separation). There doesn't appear to be parking for the current tenants. Applicant will need to provide spaces for current and proposed apartments. Two parking spaces per unit, or else request parking relief.

Q: How big is 1st floor unit proposed? 1,200 sq. ft.

Since there's no off street parking, Board cannot endorse, therefore those spaces cannot be in the plan. Board discusses options for parking possibilities. Tenants need to have parking within 800 ft. Suggested that applicant reach out to nearby parking lot across from Fairbanks Auto to try and work out a plan to lease/permission for parking spaces. If worst case scenario & unable to secure parking at Fairbanks could they use their convenience store's lot (Super Mart) down the street? Board highly encouraged the applicant to pursue parking across the street and come back next month.

Motion made & seconded to continue this hearing next month when applicants have had an opportunity to obtain parking for tenants. Vote 7-0 in favor.

OTHER BUSINESS

Seney, Conceptual Plan -PUD, Meadowbrook Lane

Steve Seney has presented a couple of different plans to the Board in past years in efforts to address all of the Board's concerns. This plan lessens the cut into the hillside, minimizes slope issues. Proposed are 11 Duplex-style Townhouses, most of them with garages. Will be developed as condominiums, will need a Special Permit as a Planned Unit Development.

Parking: Each building with a garage under. Guest parking could be in front of each building. Board requested a well-defined policy with what is allowed for parking. There may be space between the proposed road and units to add an eight parking space strip. Will still need to meet stormwater drainage requirements. Board is requesting that Applicant show examples of the different one and two level buildings.

Suggestions made by the Board: Look at one-level units, draft documents showing language on annual maintenance for road, stormwater facilities & common open space. Consider using architectural features to vary style of buildings.

Public Comment:

Ms. Sandra Hurtubise, 440 Canton St. expressed concern with increased traffic if there's two vehicles per unit. 44 additional vehicles would add to the already existing issue with speeding on Canton St. Also does not want lighting shining onto her back yard. The Board assured that they take a lot of input from abutters during the review process. Board reiterated that the development will need to fit in with the neighborhood. Also, there may be traffic study to determine the impact of additional trips.

Mr. Van Hazinga recused themselves from the following item due to a conflict of interest.

Fitchburg Yarn offsite improvements

Tom Skwierawski discussed the funds left from Winn's Special Permit condition for off-site improvements. Rather than construct a sidewalk on Sheldon St. as originally planned, Winn proposes to just cut a check to the City. There is \$72,000 left in their obligation. There's been discussion about not using that for Sheldon St. & supplement with Ch. 90 funds to improve Main St. from Red Brick River Mill down to Fitchburg Yarn entrance (approx. 580 linear ft.). Money should not go into the General Fund.

Q: Is there a separate Sidewalk Account for when sidewalk in subdivisions are waived by the Board? Determine account for funds for offsite improvements.

Motion made & seconded accept Winn's \$72k and designate DPW to do work. Vote in favor.

Both Ms. O'Kane & Mr. Van Hazinga recused themselves from the following item due to a conflict of interest.

40-R District amendment to include B.F Brown

Tom discussed with Board potentially adding the area of NewVue Communities' "Fitchburg Arts District" (B.F. Brown, the Annex & the stables) to the 40R District. This would be one way to permit the project, and make the City eligible for a \$285,000 density bonus payment from DHCD. DHCD supports the project.

Ms. Caron: The Board adopted design standards for the 40R districts. Will there be new design criteria for this area? Project timeline? There is a development consultant currently working on the project. Still would need to be permitted.

Petition made & seconded to initiate the process of adding this area to the existing 40R district.

Vote 4-0 in favor

Ms. O'Kane & Mr. Van Hazinga returned to the meeting.

Adult Use Marijuana-separation requirements

The Board was asked by the Law Dept. for input on whether there should be a minimum separation between Recreational Marijuana retailers, and if so, what should it be. What will determine a waiver from the Board and what type of criteria will be used to determine. Will existing facilities be grandfathered in? Does Board even think clustering is a problem? After some discussion, the Board agreed that they would recommend a 1,000 foot separation requirement. The Board deferred further discussion on criteria for waivers to another meeting.

Ms. O'Kane recused herself from the following item due to a conflict of interest.

569 Electric Ave - Donut Shop landscaping plan review

A condition of Board's Site Plan Approval required review and approval of a landscaping plan. Project under construction now. Dumpster gates open on to Franklin Rd.

Motion made & seconded to approve landscaping plan. Vote 6-0 in Favor

Ms. O'Kane returned to the meeting.

Meeting Minutes

Minutes of February 13th meeting approved.

Minutes of April 10th & May 8th meetings approved with corrections.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 9:22 p.m.

Next meeting: July 10, 2018

Minutes approved: July 10, 2018