

If he intends to make this permanent, he will come back to the Planning Board for approval. He intends to move the dumpster and waste oil receptacle to the same location and fence off with chain link fencing.

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

- Conditions of the Fitchburg License Commission are hereby incorporated into this approval.
- Temporary fencing shall comply with Building & Fire Departments.
- Temporary seating to be removed after weekend or after events.
- Install vinyl enclosure for dumpster.

Vote 7-0 in Favor.

PUBLIC HEARINGS

Special Permit, Patel, 767 River St., convert 1st floor store into apartment (postponed from 6/12/18)
Applicants not present. Hearing continued to next meeting.

Special Permit Modification - One Oak Hill Road, Revolutionary Clinics - Expand Medical Marijuana grow/processing facility into Bldg. 5 by 25,800 sq. ft. - (postponed from 6/12/18)

Bert Vining, Revolutionary Clinics, Kyle Burchard, Greenman-Pedersen, & Lily Piper Worth from Elton+Hampton Architects present.

Bert & Kyle gave update on progress since last meeting. Revolutionary Clinics first came to Board in 2016 with proposal for 1st & 2nd floors of Bldg. 4, then in March 2018 got approval to expand to four floors. They are requesting an expansion into Building 5 as a modification of their Special Permit. There will be the same level of security, monitoring, life safety systems, fire protection, adequate utilities, water and sanitary sewage. They have been assured by Unutil that there's power capacity. Transformers and equipment are on order. They expect to have 115-120 employees by end of year. Minimum wage: \$19.23. They still give Fitchburg residents a priority. They have two large events for employees every year. Parking capacity for more employees? Yes, there's ample parking on site for all employees. Kyle reviewed parking tabulation. Delivery area and circulation will remain the same.

Bert: They have met all conditions set by the Planning Board. Some of the 1st floor windows are in process of being replaced; will be completed by 10/11/18. Even when they add Recreational marijuana, they will reserve 35% of their product for medical use, to ensure product is available.

They are requesting waiver of the 300 ft. buffer requirement in the Ordinance from residential uses (Anwelt Heritage Apts.) in the adjacent wing of the bldg. Q: Is there an access point between buildings? There is a common point of access through a stairwell, though not accessible to tenants.

Will grow rooms have any loud noises, or humming from lights? Not that they can think of, lights are quiet and overall operation is quiet; there is a double-wall system. Entrance to Building 5 will remain on the west side, opposite side of the courtyard adjacent to Revolutionary Clinics.

Board: The white vinyl fencing at the southerly edge of the site would look better if it was completed across the rest of the parcel. Bert has spoken to the owner of the property, they are contracting with fence company to complete the fencing along the property line.

Courtyard walkways are in bad shape, could they be repaired or replaced?

Bert & Kyle suggested that the maintenance man could find a solution.

Public Comments:

Aaron Cosgrove fully supports. Mary Jo Bohart, Economic Development Director: Good to see applicant taking another step towards their growth.

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

Motion made & seconded to Approve the request Special Permit Modification, and also waive the 300-foot buffer requirement from a residential use with conditions:

- Expansion of cultivation and processing facility to be developed in general conformance with application package and site plan as submitted.
- All conditions of Special Permit #2016-12 continue to apply, including compliance with Community Host Agreement provisions.

- Complete modification of first floor windows, as presented to Planning Board, by October 10, 2018.
- Repair or replace wooden pedestrian walkways in courtyard by December 31, 2018. Walkways to be maintained in safe, aesthetic and accessible condition.

Vote 7-0 in favor.

OTHER BUSINESS

(Mr. DiPasquale recused himself from the following item to a possible conflict of interest.)

#1280 Ashburnham Hill Rd. – possible “rear” lot

Dave Petrucci & son proposing to split lot into an 11 ac. rear lot for the existing house and a conforming lot where his son would build a house. Preliminary survey showing lot split reviewed by Board. Access to rear lot would be via an existing gravel drive. No shared driveway. Plan appears to meet requirements in the “Rear Lot” section of Ordinance - minimum 40 ft. frontage and more than enough area. They will submit as ANR plan at a future meeting.

(Mr. DiPasquale returned.)

Minor Site Plan revision - 0 Alpine Rd - Solar array, add battery storage

Jamie Rheault, Whitman & Bingham requested the Board to approve as a minor revision of NhSolarGarden’s approved site plan eliminating some solar panels & add battery storage units in the middle of the array. He also requested an extension of time to commence project to one year from the approval of this modified plan. Site plan was originally approved in 2013. Subsequent modifications and revisions were approved by the Board on 3/18/2014 and 7/10/2017.

Motion made & seconded to modify Site Plan Approval to include battery storage and extend time to start to one year from the date of this approval. Vote 7-0 in favor.

Minor Special Permit Modification - Garden Remedies, expand to Hemp processing, 307 Airport Rd.

Tara Hopper, In-house counsel for Garden Remedies present to request amendment of Special Permit to also allow Hemp growing & processing. A different chemical, Cannabidiol (CBD), which is not psychoactive, is extracted from Hemp; the oils extracted must have less than 0.3% THC. Garden Remedies has applied to Mass. Dept. Agricultural Resources for dual license to grow & process Hemp. Hemp plants will be kept separate from other plants to avoid cross contamination. They may take in wholesale hemp grown elsewhere to process & extract the oils.

Motion made & seconded to approve Special Permit Modification to permit grow/processing of Hemp. Vote 7-0 in favor.

Board discussion as to whether the city should look into regulating the cultivation/processing of Hemp. It is not a restricted crop per Mass. Gen’l Law, but it could be subject to reasonable regulations, screening requirements, site plan review, etc.

Agreed: Ask Law Dept. when the cultivation & processing of Industrial Hemp can be regulated.

Root property, Mt. Elam Rd.

Rick Healey, Foster-Healey Real Estate present to discuss parcel. He has an ANR plan from 1998 with a note stating no further development on the 12 ac. Root parcel without Planning Board approval. The Building Commissioner’s zoning determination stated that a frontage variance (the frontage is not on a public street) and Planning Board approval will be needed for it to be considered a building lot. Rick will be submitting an “ANR” plan later to add onto the area of Root’s house lot at 475 Mt. Elam Rd.

Cypress Tree Mgmt. (d/b/a Weston Roots), 431 Westminster St.

Matt Fournier, property owner & Zach Harvey, COO of Cypress Tree Mgmt. present. They will be proposing a medical marijuana cultivation establishment with 32-50 employees. Currently they are proposing a dispensary in Newton. They are planning to submit for the August meeting. Board has suggested they come back once they have received Host Community Agreement.

(Ms. O’Kane & Mr. Van Hazinga recused themselves from the following item to a possible conflict of interest.)

40R District amendment (B.F. Brown) – examples?

One example of a zoning amendment to permit NewVue’s B.F. Brown Fitchburg Arts Colony project is to add that area to the existing 40R district. Tom discussed two options that DHCD had drafted:

1) a “repeal & replace” version including B.F. Brown parcels, tailoring permitted uses to the specifics of the NewVue proposal, and also updating the 40R district requirements at the states level since initially adopted, and 2) a simpler amendment to add the B.F. Brown parcels to the district.

Board agreed: The simpler amendment is preferred.

Q: How does “maker space” fit into the use table?

(Ms. O’Kane & Mr. Van Hazinga returned to the meeting)

Adult use marijuana retail locations – separation requirements?

In response to correspondence from Law Dept., Board discussion of whether a minimum separation between Adult Use cannabis retailers is needed, what the distance should be, whether waivers should be allowed, and by what criteria waivers would be determined.

Suggestion that a min. separation (1,000 feet) is needed to reduce the negative externalities or effects of a concentration of such uses. There was agreement that a waiver provision was necessary.

Q: Use existing Waiver criteria for the 300-foot buffer from residential, etc. uses?

Agreed: Mr. Fontaine will draft examples of situations where a waiver may be appropriate and FW: to the group.

Meeting Minutes

Minutes of June 12th meeting approved with several corrections.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 9:45 p.m.

Next meeting: August 14, 2018

Minutes approved: August 14, 2018