



Special Permits - S & O Realty, 46 & 52-54 Myrtle Ave., re-establish two 3-families (cont'd from 3/13/18)  
Request to withdraw Special Permit application rec'd from Applicant. Since last month Mike O'Rourke has obtained building permits to re-establish the 3-family uses under the revised nonconforming section of the Ordinance.

Motion made & seconded to allow the application to be Withdrawn without prejudice. Vote in favor.

Proposed Zoning Ordinance Amendment - Allow "Seasonal Outdoor Dining" as a use in Industrial & Limited Industrial districts

Hearing opened. Purpose of the amendment to allow outside seating for several local restaurants that have expressed interest. Seasonal Outdoor Dining is permitted as an accessory use in the Business district, but not in the Industrial districts. The Planning Board had voted to initiate this amendment at the last meeting.

Public Comment: None.

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

Motion made & seconded to recommend in favor of the amendment. Vote 6-0 in favor.

Special Permit & Site Plan Review - Atlantic Medicinal Partners, Medical Marijuana cultivation/processing & dispensary facility, 774 Crawford St. (cont'd from 3/13/19)

Hearing re-opened. Atty. Phil Silverman, Matt Hamer, P.E. and John Caveney, architect present. Phase I: 25,000 s.f. grow facility & dispensary. Phase II: 25,000 s.f. expansion to fill the rest of the facility. Contrary to what was stated at last meeting, existing business (Quad/Graphics) will be moving out now, not waiting for Phase II expansion.

Public Comment:

Mike Lampkin: Why choose to locate in Fitchburg? Atty. Silverman: Building is in good condition. City of Fitchburg has been good to work with. Q: Will AMP be expanding into Adult use marijuana? Probably.

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

Motion made (Mr. Fontaine) & seconded (Mr. Van Hazinga) to Approve Special Permit & Site Plan for Medical Marijuana cultivation, processing & dispensary with conditions:

- Show type of fencing at loading dock & dumpster for Board's review & approval
- Hours of operation 7 days/week, NTE 8:00 a.m. - 8:00 p.m.
- Signs subject to review & approval by Board
- Police Dept. approval of Security Plan
- Standard conditions used in other Medical Marijuana special permit decisions.

Vote 6-0 in favor (*Mr. DiPasquale not voting since missed last month's meeting*).

Special Permit & Site Plan Review - Baystate Restoration, 395 Water St., mixed use (office space/storage & 2-BR apartment)

Hearing opened. Mark Daviau of Baystate Restoration Group presented plan. They recently purchased this former fire station and propose to keep the appearance of the station. They'll use the 1<sup>st</sup> floor as their 3<sup>rd</sup> satellite construction office & storage and convert the 2<sup>nd</sup> floor into a 2-BR apartment. Apartment will prob. be used by employees. No flammable or hazardous storage on site.

Board expressed concern with vehicles backing into intersection from parking spaces. Driveway is within 50 feet of intersection – will need DPW approval. Two parking spaces are to be reserved for residential units. Layout of spaces & residential entrance of the bldg. reviewed. If area in front is kept clear, residents will be able to maneuver w/o backing out into street.

Public comments: None.

Mr. Hurley: The 2<sup>nd</sup> floor apartment will be good for neighborhood.

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

Board discussion: Some additional information will be needed from applicant.

Motion made & seconded to Approve Special Permit & Site Plan with conditions:

- Submit parking and floor plan for Board's review & approval.
- Subject to DPW approval of driveway with 50 feet of intersection.
- No storage of flammable or hazardous materials.
- Principal use of 1<sup>st</sup> floor to be limited to storage of construction contractor & office. No outside storage.
- All Tenants of residential units are to be notified: "No Backing Out Into Water St."
- Subject to resolving any Fire Dept. concerns.

Vote 6-0 in favor (*Mr. DiPasquale not voting since missed last month's hearing*).

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

Applicant not present, no abutters present.

Motion made & seconded to defer opening the hearing to the May 8<sup>th</sup> meeting. Vote in favor.

Special Permit & Site Plan Review - Moran Sq. Realty, 110-112 Ashburnham St., convert 2-fam. to 4-fam.

Prior to opening public hearing, discussion as to whether this should properly be before the Planning Board or should it first go to ZBA for a variance. Q: Can Board issue special permit for 4-family, when definition of "multifamily" has a maximum of 6 units per acre? (This parcel would be > 6 units/acre.)

Hearing opened.

Mike Lampkin: The ZBA issued a Variance in 1998 to allow conversion of structure to a 4-family. Work started & interior gutted down to studs, but then work stopped. Dwelling is 3,600 sq. ft. Proposing 4 units at 900 sq. ft. each. Parking layout reviewed. Parking area has right-of way to Fairview St. He'll widen the easement for driveway.

A 2-family is permitted by right, but he's not interested in a 2-family. It's framed for 4 units & he has a substantial investment in bldg.

Public comment: Andy Rutkowski, 44 Fairview St. concerned with 4-family, mostly 1 & 2 families in area. Is there room to fit 8 spaces?

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

Board discussion: Sprinklers will probably be required. Access via Fairway St. will be a plus as an alternative to the more heavily travelled Ashburnham St. There's no 4-family dwellings in immediate area. But, better to have a renovated & occupied structure than one that has been vacant for 20 years.

Motion made & seconded to Approve Special Permit & Site Plan with conditions:

- Subject to obtaining variance for density from ZBA.
- Replace stockade fence on property line with vinyl fence.
- Two years to start construction. Substantial completion within two years of issuance of building permit.
- Revise driveway & parking area per submitted site plan. Driveway & parking area to be paved & striped.

7-0 in favor (Ms. Koeck, Assoc. member participating)

Special Permit Modification - Revolutionary Growers, One Oak Hill Rd. - expansion

Hearing opened. Bert Vining, V.P. of Revolutionary Clinics and Kyle Bouchard, Cal Goldsmith of Greenman-Pedersen, Inc. present. Bert: They need more room for grow facility and are planning to expand to the 3<sup>rd</sup> & 4<sup>th</sup> floors to expand capacity by an additional 70,000 sq. ft.

Discussion on boarded-up 1<sup>st</sup> floor windows. Kyle: At initial hearing on the Special Permit, the condition discussed was to come up with a better solution for the window treatments, not to replace glass windows with glass.

Mr. Fontaine & Councillor Beauchemin believed that the glass windows were to be replaced.

Kyle presented mock-ups:

- Stucco on plywood
- Decal of photo of glass window or of brick
- Brick veneer on plywood
- Glossy Black vinyl surface with wooden mullions

Some Board members expressed preference for glass.

Consensus: Install mock-ups of several types of replacement windows on 1<sup>st</sup> floor of Oak Hill Rd. side of building for review prior to next meeting.

Board preferred the black lexan w/ wooden mullions.

Board also noted need to satisfy condition #6 - repair wooden fence on southerly (Fairmont St.) side of property. Bert agreed to repair fence within one year (this has since been done).

Bert: They have a retail location in Somerville & two locations in Cambridge. Approx. 40% of their product is wholesale to other growers. They could become the largest wholesaler in the state. Eventually they will be producing 25,000 lbs. per year. Total investment has increased to approx. \$20 million.

Bullet points in Greenman-Pederson's 4/7/18 letter were reviewed by Board.

They are not interested in a retail location on Fitchburg. They will be applying for license for Adult Use cultivation/processing, but retail sales will be in a different location.

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

Motion made & seconded to Approve Modification of Special Permit with conditions:

- Install replacement windows no later than six months of the effective date of the Special Permit.
- Repair/replace stockade fence on southerly side of site.

7-0 in favor. (Ms. Koeck participating.)

Site Plan Review - Fitchburg Renewables, 239 Fisher Rd. - proposed 4.7 MW solar (new application)

Hearing opened. Ben Axelman, Nexamp, Mike Scott, WDA Design & Bruce Willard co-owner of property present. Mike described changes to plan since last hearing: Solar panels pulled back from wetland buffer zone to the east, almost all of grading is outside of buffer zone, on Fisher Rd. side and undisturbed buffer will keep existing apple trees, arborvitae landscape buffer to be provided NW corner of site, adjacent to the two group homes, fewer trees cut on western side of site on steep slope.

Board suggested also providing landscape buffer to the Group Home on the NE site of site.

Resolve the issue of whether fire hydrant in middle of orchard is in working order.

Original application estimated array would produce 4.5 MW of power, now w/ more efficient panels increased to 4.7 MW.

Public comment:

4/10/18 email from abutter Steve Lemmo, 270 Fisher Rd. distributed to Board.

Abbie Webb, 256 Fisher Rd. raised concerns about dust control.

Peer review by Bill Kuriger, LSP reviewed. NexAmp's Health & Safety Plan has been revised to incorporate Bill's suggestions.

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

Motion made & seconded to Approve Special Permit with conditions:

- No construction access to site via southerly approach to Fisher Rd. (due to 90 degree turn). Access only from Rt. 31 or Pearl Hill Rd.
- Hours of construction NTE 7:00 a.m. - 7:00 p.m. No Sundays (refer to previous Special Permits).
- Arborvitae landscape buffer to be provided on NW & NE corners of site.
- Applicant shall execute a P.I.L.O.T. Agreement with the City of Fitchburg.
- If panels are inactive for a period of more than 12 months, Applicant will decommission the array and return the site to its original state.
- Applicant to post a site reclamation/decommissioning bond for removal if one year of non-use.
- Improve appearance of front entrance & mow.
- Subject to revised Health & Safety Plan that incorporates Bill Kuriger's suggestions.

Vote 6-0 in favor.

Timeline ? Ben: Start construction this summer, est. 3 month construction period.

**OTHER BUSINESS**

93 Nockege St. - Landscaping plan

Anthony Cleaves, Whitman & Bingham & Matt Fournier presented plan for Board's review & approval, per condition of Site Plan Approval. Board reviewed plant list.

Motion made & seconded to Approve landscaping plan. Vote in favor.

FYI - Progress at site: "West Mill" is now occupied by Foamtech. Occupancy of "East Mill" (state offices) expected by 8/15/18.

Meeting Minutes

Minutes of March 13<sup>th</sup> meeting approved with several corrections.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: **10:16 p.m.**

Next meeting: May 8, 2018

Minutes approved: June 12, 2018