

**FITCHBURG PLANNING BOARD MEETING MINUTES  
TUESDAY, DECEMBER 11, 2018**

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

**STAFF:**                                      Tom Skwierawski, Mike O’Hara

**Call to Order**

Meeting called to order at 6:01 p.m. in the Community Room, Fitchburg Fire Headquarters, 33 North St.

**ANR PLANS**

Horizon Christian Fellowship, 119 Alpine Rd.

Alton Stone presented plan which revised a plan endorsed by the Board in October. The plan corrects two property lines shown on that plan. A Revised Lot C (Rear Lot) is 2.01 acres, remainder Lot D (future parsonage) is 21+ acres. The Board endorsed the plan. Alton will also be filing a Special Permit application for the proposed common driveway serving these two lots.

**MINOR SITE PLAN REVIEW**

960 South St., professional office bldg., Moses - modifications

Jamie Rheault, Whitman & Bingham & Steve Moses present.

Jamie had submitted an as-built plan so that the Board could compare it to the approved site plan. Currently there are three tenants in the building.

Items missing or not complying w/ approved site plan: Landscaping not complete, two tandem parking spaces in front of building not per approved plan, no berms in parking lot, fence screening abutter not installed, etc.

After discussion, they agreed: Have a minimum 4-foot deep landscaping buffer to rear, install vinyl fence near abutter, install berms in parking lot, remove 2x6 landscaping border on Rockdale Ave. and install according to DPW’s recommendations, roof runoff to be diverted to crushed stone area. One of the tandem spaces in front of building will be eliminated. They will request a waiver to the 20-foot landscaping buffer adjoining the residential use. The 20-foot sight triangle at the South/Rockdale intersection is maintained.

Agreed: Jamie will make these revisions to the site plan and submit to the Board for next month’s meeting.

132 Woodland St., Christian Congregation in the U.S. - modifications to parking plan

Ronaldo Silva & Richard Santos from the church presented a revised parking plan for the parcel at the NE corner of Woodland & Pratt St., as had been suggested by the Board in January 2018. Now all cars enter from Woodland, park in parallel, tandem rows & exit onto Pratt St. Interior work in church not yet complete; they anticipate occupancy in a month or two.

Motion made & seconded to Approve the amended parking plan. Vote in favor.

One Oak Hill Rd., Revolutionary Clinics, minor revisions rear of site

Bert Vining, Revolutionary Clinics, Kyle Burchard, Greenman-Peterson & Lily Piper Worth, Elton + Hampton architects present. Kyle presented revised plan showing outside waste containers at rear (northern) side of building for plant material and other waste. Both sides of the access will be fenced off w/ a Knox Box for Fire Dept. access. They dispose of approx. 20 yds. of organic waste every 2-3 weeks which is taken to a farm in Westminster to be composted. The placement of the containers still leaves room for a 20-foot wide Fire Lane.

Q: Completion of vinyl fence on the southern side of site, on the Anwelt Heritage Apts. side?

Bert: Anwelt Apts. is getting a quote, but he’ll remind the management there.

Q: Number of employees? Bert: Revolutionary Clinics currently has 85 total, 65 of which are at One Oak Hill Rd. At full buildout they expect to have about 120 employees total.

Motion made & seconded to Approve the minor modifications to the Site Plan as requested, subject to final approval by Fire Prevention. Vote 7-0 in favor.

### **PUBLIC HEARINGS**

Special Permit & Site Plan Review - Green Era, Retail sales of Adult-Use Marijuana, 371 John Fitch Hwy.  
Opening of hearing requested to be postponed to the next month by the applicant.  
Motion made & seconded to postpone opening public hearing to Jan 8<sup>th</sup> meeting. Vote in favor.

Special Permit & Site Plan Review - The Caregiver-Patient Connection, Retail sales of Adult-Use Marijuana, 373 Lunenburg St. (continued from 11/13/18)

Mike Staiti present to give an update to the Board and request a continuance to the next meeting. Their proposal to have additional parking on the parcel next door in Lunenburg (City Line Smoke Shop, 6 Mass. Ave.), as discussed during the Nov. 30<sup>th</sup> site walk, is not permitted by Lunenburg's Zoning By-law. They are looking at several alternatives: (1) Sales by appointment only, employees would park off-site. (2) Acquire property next door at 371 Lunenburg St. (Godfrey's Pizza), demolish one of the buildings and provide approx. 35 additional parking spaces. Alternative Therapies Group (ATG) in Salem will be opening Dec. 15<sup>th</sup> for Recreational sales by appointment only. Discussion on how practical this system would be at the Lunenburg St. location.

Ms. Caron noted that the parking standard on the Ordinance on Adult Use is not just the "retail" standard but is up to the Board's discretion.

Police Chief Martineau commented that he has had good communication with the applicant. In FPD's opinion, Option 1 would be a recipe for disaster. Option 2 is viable & is preferred.

Motion made & seconded to continue the public hearing to Jan. 8<sup>th</sup>. Vote in favor.

Special Permit & Site Plan Review - Native Sun Wellness, Cultivation/processing of Medical Marijuana, 140 Industrial Rd.

Atty. Phil Silverman & various representatives of Native Sun present. They are requesting waivers of the Development Impact Statement, Traffic Impact Study & stormwater management plan since it's an existing site. No site changes are proposed. Building (former Moduform) is 72,000 sq. ft. on a 6.4 acre site. All utilities are existing but will be upgrading electrical & gas. Site has 57 parking spaces. Site lighting discussed. Will have security fence with plantings in front. Board suggested a vinyl fence, any color. There will also be privacy fencing at rear of site, adjacent to Monty Tech.

Building is connected to the adjacent 172 Industrial Rd. Moduform bldg. A fire separation wall will be installed. Dan Linsky described security plan.

Proposed grow canopy approx. 40,000 sq. ft. They will have approx. 15 employees in Year 1. DBA "Native Roots". Their retail locations will be in Cambridge. Time frame: 12-14 month buildout.

Dept. comments reviewed. Chief Martineau, FPD: has checked with the School Resource Officer (SRO) assigned to Monty Tech and there are no concerns as to the safety of the students and potential evacuation from the school. He fully supports Native Sun Wellness as a cultivation and processing facility at 140 Industrial Rd.

Board reviewed map of 300-foot radius buffer. The Monty Tech parcel is 287 feet from rear of bldg. There is a steep wooded area between the Monty Tech campus & 140 Industrial Rd.

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

Motion made (Mr. Fontaine) & seconded (Mr. Hurley) to Approve the Special Permit and issue a waiver of the 300-foot buffer, subject to the usual conditions of Marijuana Special Permits. Vote 7-0 in favor.

Special Permit - EF LLC, 15 South St., convert 2-family to a 5-family dwelling

Hearing opened. Eric Fowler & Bill Lorigan, architect present. Plan was presented. Building will be sprinklered. He is planning to modify existing two 3-BR units into five 1-BR units, # of BRs reduced from 6 to 5. He plans to modify off-street parking to have 8 spaces.

Board pointed out that spaces don't conform to parking standards and must be set back 3 feet from property lines. Landscaping? Just a small area in front yard.

Board members questioned whether this was the appropriate location for a 5-family. Concern was raised about aisle width, maneuverability of cars on site, cars backing out onto a busy South St.

The benefit to the city is outweighed by the adverse impacts of the proposal.

Public Comment:

Jack Middleton, South St. is concerned with parking & density.

Dept. Comments reviewed. PD: Chief Martineau does not support, too dense, parking will be an issue.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to close the public hearing. Vote in favor.

Board listed their concerns: Increased density, limited space on the parcel for off-street parking and maneuvering, parking setbacks not met, proposal would not be a benefit to the City.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to Deny the Special Permit based on the reasons stated. Vote 6-1 in favor of Denial.

Eric stated that he will keep the building as a two-family.

**OTHER BUSINESS**

Game-On Fitchburg update

Atty. Tom Bovenzi gave the Board an update. Still crushing rock & processing gravel on-site for use in the site. Much more rock present than test borings indicated, an est. 80,000 cu. yds. of excess rock & gravel is being removed from site. Tom: Since they originally had planned on having to bring gravel onto site from outside, total # of truck trips in & out of site is about the same. Steel has been delivered to site. Anticipate starting foundation soon. Plan to have some fields open by summer.

Letter from Law Dept: The Special Permit did prohibit removal of sand & gravel, but a Land Court case allows the removal of excess material.

Mr. Hurley: Neighbors have suffered from the noise and hammering when is it going to be finished?

The Board should have been made aware of changed conditions before.

Motion made & seconded to make an affirmation that Game On was not in violation of their Special Permit. Vote 6-1 in favor.

Mt. Elam Rd., Root. (near 475 Mt. Elam Rd.)

Atty. Gelinas, Jamie Rheault, Rick Healy present to discuss options for development of a 12+ acre lot Root owns. Only access is a 40-foot wide strip fronting on a common drive off Mt. Elam Rd. Root sold the 40-foot strip to an abutter but retained an easement. He could buy it back & consolidate it w/ the 12 ac. parcel. Options: Variance from lot frontage requirement, approval under the "rear lot" provision, submit a small Definitive Subdivision plan.

Applicant indicated that they will probably submit a one-lot subdivision plan & create a small cu-de-sac, which will provide the req'd lot frontage.

Informal - Stalk & Beans, Cannabis Third-Party Transporter, 431 Westminster St.

Atty. Phil Silverman, & Matthew Knox briefly presented proposal for a Third-Party Transporter located in approx. 520 sq. ft. of space at this former mill. There is space available beyond that to be used by the Cypress Tree grow facility recently approved. Stalk & Beans will do business-to-business pickups (cultivation to dispensary, testing lab, etc.) Matt Fournier, property owner gave overview of site plan. Special Permit application has been submitted; will be on January agenda.

It was noted that there should be different addresses for the different businesses in this mill building rather than all the same.

Informal - Oxford Investment Partners, LLC, Cannabis Cultivation/processing, 25 Newport St.  
Hunter Slay & Steve Chasson, Oxford Investment Partners, and Gary Thomas, construction contractor present. They are interested in establishing a grow/processing facility at the former Parks-Cramer Bldg. They have toured the site and reviewed the Compassionate Organics previous plan & special permit decision for the site. Their floor plan may be changed slightly from the previous applicant's.

Board reminded staff that that the issue of CHC's special Permit condition about Drepanos Drive is not yet resolved & should be discussed at a future meeting w/ CHC.

Motion made & seconded to adjourn. Vote in favor.  
Meeting adjourned: 9:52 p.m.

Next meeting: 1/8/19  
Corrected Minutes approved: 2/19/19