

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, FEBRUARY 13, 2018**

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

STAFF: Mike O’Hara, Tom Skwierawski

CALL TO ORDER

Meeting called to order at 6:00 p.m. in the Community Room, Fitchburg Fire Headquarters, 33 North St.

ANR PLANS

None.

MINOR SITE PLAN REVIEW

None.

PUBLIC HEARINGS

Fitchburg Renewables, LLC, 239 Fisher Rd. - proposed 4.5 MW ground-mounted solar array
(continued)

Since there had been numerous continuances of this item, NexAmp has requested leave to Withdraw their application. They will refile when they are ready to proceed. Then there will be a new notice & hearing. Motion made & seconded to accept NexAmp’s request to withdraw. Vote unanimous in favor.

Special Permit - Lan, convert 3-family to 4-family, 51-53 Wachusett St. (continued from 1/9/18)

Since the last meeting the applicant had emailed a request to withdraw his application. Motion made & seconded to accept the Applicant’s request to withdraw. Vote unanimous in favor.

Special Permits - S & O Realty, LLC, 46 & 52-54 Myrtle Ave. - two 3-families (continued from 1/9/18)

Nothing heard from applicant since last month’s meeting as to whether he wants to continue or withdraw application. Motion made & seconded to continue the hearing to the March 13th meeting, with caveat that this would be the last extension. Vote in favor. Ms. Caron cautioned that if applicant still wants to pursue Special Permit, he’ll need guidance from Bldg. Commissioner as to procedure. Mike O’Rourke (applicant) will be informed of that.

Special Permit - Verizon, rooftop wireless communication facility, 279 Daniels St.

Hearing opened. Atty. Elizabeth Mason, McLane, Middleton presented plan. Cellco Partnership d/b/a Verizon Wireless plans to install a wireless telecommunications facility on the roof of 279 Daniels St. (Joseph’s House) to fill a significant coverage gap. The Building Commissioner had been determined that this was not a By-Right (concealed) installation since it will project too high from the rooftop. Thus, it requires a Special Permit.

Discussion on gas supply pipe on side of building - can it be camouflaged? Verizon’s coverage plots (before & after) reviewed. Check existing vinyl fence - in good repair?

Public comment:

One abutting property owner with backyard on Chester St. was concerned about more shade from additional equipment on rooftop.

Comments had been received from DPW, Fire, Bldg. Need other Dept. comments.

Board suggested looking at feasibility of locating generator and gas lines to another, less visible location. Motion made & seconded to continue the hearing to the March 13th meeting.

Ms. O’Kane & Mr. Van Hazinga recused themselves from the following item due to a Conflict of Interest and left the room.

Special Permit - NewVue Communities, 181 & 183 High St., Common Driveway

Hearing opened. Steve Cook, NewVue Director of Housing Development and Larry Sabean, Hannigan Engineering present.

Larry presented plan. NewVue owns 181 & 183 High St. The structure at 181 High St. is proposed to be demolished. The 181 & 183 High St. parcels will be combined into one lot as shown on an “ANR” plan endorsed by the Board in December 2017. Off-street parking for #183 High is proposed for the vacant area. A 20-foot wide shared access and utility easement will be provided for the benefit of 46 Johnson & 183 High St., which will be rehabbed from a vacant 3-family into a 2-family. Vehicular access to 183 High St. is much easier via Johnson St. NewVue is requesting a waiver of the common driveway regulations since grade for the 1st 50 feet will exceed 5%. Instead, a grade of 8% is proposed for the entire driveway.

The applicant seeks a Special Permit to construct a shared common driveway between the two parcels noted above. The structure at 181 High St. is proposed to be demolished. The 181 & 183 High St. parcels will be combined into one.

Steve Cook: A draft common driveway easement between NewVue & 46 Johnson (Kalagher) has been agreed upon. They are planning to start demolition of 181 High & renovation of 183 High in the Spring. The Board commented that two rows of stacked spaces would fit more vehicles.

Board comments:

Need copy of common driveway easement addressing maintenance, need address sign on Johnson St. for both dwellings. Also need address sign on the garage at 183 High St. stating: “Access for 183 High St. via Johnson St.”

Motion made & seconded to continue the hearing to the March 13th meeting.

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

Review window, façade elevations at 93 Nockege St.

Matt Fournier presented plan and photographs of work done on replacement windows that have been installed at the West Mill. Grids have been installed in the glass. The transom area has been finished with a dark pigmented stucco finish.

Q: Could the transom above the window opening be glass? No, because ductwork is too close to ceiling. Higher cost of materials and demands of tenants (DCAM & State agencies) prevents major changes to plan. Foamtech & DCAM have timetables for occupying their respective buildings. Foamtech wants to be in the West Mill in March.

Matt has convinced owner to install larger glass windows on 3rd floor of West Mill, on three sides of the building. All windows in the building are to be fixed windows.

Board: These replacement windows are a huge improvement from the original design.

Motion made & seconded to approve the revised window design. Vote 6-0 in favor.

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

Hearing opened. Ms. Caron explained to applicant that an Associate Member is sitting in on hearing; Applicant needs a 2/3 vote of the Board for Special Permit to be granted.

Carl Bletzer, property owner and Bill Collins, engineer presented plan for common driveway and parking area. Agreed: A common driveway can only provide access to two parcels, per Zoning Ordinance. Access to a 3rd parcel would require a Variance. Parking needs to be set back from 10 feet from property line or else Board would need to issue a waiver. In all, the applicant owns six properties in Fitchburg, including one multifamily.

Q: If common driveway is for two single-family dwellings, why are there more than 2 parking spaces per unit? He wants enough spaces to support other rental properties that he owns. He has several other properties in the area - - on Myrtle St., Longwood Ave. There are five, five & four residents in the three adjacent single-family dwellings that he owns on Cedar & Myrtle. Most of the residents have cars. Comments from Fire & Bldg. Depts. reviewed.

Public Comments:

Jennifer Latini, 199 Cedar St. (next door): Cars are parked 3 feet away from her property line.

Nick Shoemaker, 124 Pacific St: Parties are the problem. With the trees cut down, they have no privacy

Mark Shoemaker: Suggested plantings buffers, fencing. Look at # of police calls in area.

Mike Latini, 199 Cedar: Counted 24 cars parked in area. Don't have other areas' parking problem brought to this area.

Mike Kushmerek, 339 Blossom, Ward 4 Councillor: Has rec'd complaints from residents & referred them to Bldg. Dept. Is concerned with the stated vs. intended uses applicant has for his properties. The neighborhood is mostly single-family, no multifamily. It will upset the balance of the nbhd. Not reasonable to expect 24 cars to be parked in a single-family area.

Mr. Fontaine was under the impression that these would be considered Lodging Houses. More than four persons per unit would not comply with Zoning. A new impervious surface or pavement will need stormwater management, should try to handle it on site.

Agreed: Continue hearing to 3/13/18 meeting. All in favor.

OTHER BUSINESS

Adult Use Marijuana

Atty. Tree, Asst. City Solicitor discussed issue w/ Board. Looking to have public hearing on an ordinance amendment advertised before April 1 when Cannabis Commission starts accepting applications.

Discussion on whether grow facilities should be permitted in Rural Residential areas, whether open air or in greenhouses. Why not consider it another type of "Agricultural" use, as long as processing is off-site.

Residents of Williams Rd., Ashburnham Hill Rd. & Sheldon Road that were present don't want such a use to be allowed in the Rural Residential area. After discussion the Board agreed that cultivation of Non-medical Marijuana should not be allowed in a Rural Residential area.

Informal review - Atlantic Medicinal Partners, MMJ cultivation/processing/dispensary, 774 Crawford St.

Atty. Phil Silverman, Matt Hamer, P.E. and John Caveney, architect briefly presented concept plan.

They have filed a Special Permit application & plans; public hearing scheduled for next month.

Planning Board CDBG recommendations

Approved as per staff recommendations.

Policy for change of tenancy at 68 Airport Rd.

Board reviewed draft policy for reviewing future changes in tenants at the units at 68 Airport Rd.

The Board agreed to adopt this policy. This will be inserted into a Special Permit modification decision for the chair to sign.

Planning Board Rules & Regulations / Procedures - revision?

Review & discussion about possible amendments. Ms. Caron would like to establish a deadline by which there should be a complete application package submitted, or else the item bumped to the following meeting. Agreed to review again at a future meeting.

Meeting Minutes

Minutes of January 9th & January 25th (CDBG hearing) meetings approved w/ some corrections.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 10:25 p.m.

Next meeting: March 13, 2018

Minutes approved: June 12, 2018