

**FITCHBURG PLANNING BOARD MEETING MINUTES  
TUESDAY, MARCH 28, 2023**

*Sep 21 2023 3:22 pm*

*A video recording of the meeting can be found at FATV – <https://www.fatv.org/>*

**MEMBERS PRESENT:**

Paula Caron, Chair,	Paul Fontaine, Jr., Vice-Chair
Amanda Koeck (Virtual)	Peter Capodagli
Tracey McGrath	Alex Lopex (virtual)
Alyne Butland (virtual)	

**STAFF:** Chantell Fleck (Principal Planner) & Liz Murphy (Executive Director)  
Community Development & Planning Dept.

**CALL TO ORDER - 6:02 PM**

Meeting called to order followed by opening statement read by the Chair regarding general meeting procedures.

**ANR PLANS** (Plans Not Requiring Approval Under the Subdivision Control Law)

**179 & 223 Alpine Road, Lalancette**

Documents: Plan of Land Tax Map S1 Lots 8 and 6A, #223 & #179 Alpine Road, Fitchburg, MA prepared by Hawthorne Land Surveying Services, Inc; Alpine Rd. Form A

Presenter(s): David Lalancette, property owner of 179 Alpine Road

Proposed is a subdivision of the common property line between the two abutting parcels. 7,600 sq. ft. "Lot X" part of 223 Alpine Rd. (tax map S1 Lot 8) is proposed to be transferred to the 179 Alpine parcel (tax map S1 Lot 6A), resolving the encroachment of a shed partially on the 223 Alpine parcel. Lot X is not buildable. The plan also shows a 25' wide access easement along Lot X, to be retained by 223 Alpine. Both lots will conform to lot area, frontage & setback requirements. Letter of permission dated 3/26/23 from the owner of the 223 Alpine parcel to submit the ANR plan has been rec'd to the Board.

Motion made (Ms.) & seconded (Ms. McGrath) to authorize a representative of the Community Development Dept. to endorse the plan.

Roll call vote: Butland: Yes. Lopez: Yes. Capodagli: Yes. Fontaine: Yes. McGrath: Yes. Caron: Yes. Vote 6-0 in favor.

**PUBLIC HEARINGS**

**Modification of Site Plan Review - The Pete Store, 215 Crawford St. addition to existing structure**

Documents: Original Site Plan Approval (11/22/2022); Site Plan Review Application and Narrative (3/3/2023); Site Development Plan, Additions and Site Development 215 Crawford St., Fitchburg, MA prepared by Hannigan Engineering (revised 3/3/2023, 7 pgs); Drainage Analysis (revised 3/3/2023, 99 pgs) prepared by Hannigan Engineering; DPW review comments (3/28/2023)

Hearing opened.

Presenter(s): Chris Anderson, Hannigan Engineering.

Applicant is looking to modify the footprint of the building to construct 6,480 square foot addition near the rear of the existing structure along with a 420 square foot addition along the front, with the intent to still maintain the use as a vehicle repair facility. Currently, it is an existing building with areas of gravel and pavement surrounding it and it is utilized by The Pete Store for large vehicle repair. Some of the proposed modifications are specific to some door relocations, which inherently shift some of the parking around near the front portion of the site. Based on the total usage of the building there is a requirement to have 30 parking spaces. On the property 30 spaces are being provided, to be compliant with the zoning requirements. The major difference as part of the overall site plan approval is the enlargement of the building addition on the rear portion of the site. Originally the loading doors that provided access to the loading bays around either of the ends of the building are proposed to be relocated to face towards the rear of the building, and bringing up the grade within the back portion of the site to provide access to the area, while maintaining the parking for the trailers and the trucks within the back portion of the property. In addition to that, fencing is being provided around the area for security purposes. Relative to storm water

management, the site is still experiencing a net decrease in impervious area and is an overall improvement to the stormwater quality. Everything sheet flows off to the south-western corner of the site and then just flows over land. As its a predominantly sandy site, groundwater infiltrates rapidly in this area. The plan includes provisions for landscaped areas along the frontage of the building, as well as providing several landscape trees interspersed throughout the area, and additional evergreen screening along the parking immediately against Crawford Street. The roadway openings are staying as originally approved.

Public Comment: None

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

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to Approve the Modification of the Site Plan to The Pete Store, 215 Crawford Street subject to DPW comments.

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

**Modification of Special Permit 2019-19 - Final Touch Contractor, LLC, Old Princeton Rd., increase PUD from 4-units to 6-units (continued from 1/24/23)**

Documents: None

Presenter: Chris Anderson, Hannigan Engineering.

This matter was continued from the January meeting and the applicant is seeking another extension to the April meeting.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to continue this matter to the April 25<sup>th</sup> meeting.

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

**Special Permit & Site Plan Review - Lorigan, 106 East St., 3-family dwelling (continue from 1/24/23)**

Request to withdraw without prejudice from applicant.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to grant the request to give leave withdraw without prejudice

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

**Special Permit & Site Plan Review - Silva, 8 Wilmot St., two-family dwelling in NBD (cont'd from 1/24/23)**

Documents: Utility Site Plan (revised 3/9/2023, 16 pgs) prepared by D.J. Associates; Abutter Comments, Cheryl Jarvi 12 Wilmot St. (3/23/2023); Abutter petition; DPW Review Comments (3/28/2023)

Hearing re-opened. Member Capodagli recused himself.

Presenter(s): Dave Sadowsky, DJ & Associates

Landscaping between the driveways has changed to reflect plants. The fence was moved off of the abutter's property onto 8 Wilmot St site. O&M plans for all of the recharge basins, the infiltrator swale, the leech pit for the foundation drain and the Cultech chambers. Dimensions shown of the minimum size for the parking spaces inside the building. Silt fencing was extended further in the front so as to get past with the swales being incorporated into the ground. The silt fencing goes two thirds of the way up to backyard for erosion control.

Comments from DPW Commissioner can be viewed on transcripts]

Public Comment:

- Councilor Cruz (Ward 6): Concerns remain the same as the letter (signed by 18 people in the neighborhood) who do not want to see this development built. Adds to congestion to narrow street with on-street parking
- Paula DerMarderosian, 85 Lunenburg St.: Lived in area for 66 years. Concerns with narrow street, parking. Does not want parking in front of her property. Prefers single family home vs. two-family.
- Chery Jarvi, 12 Wilmot St.: Concerns with extra traffic, parking, length and type of privacy fence, adequacy of driveway, lack of owner occupancy, lack of windows (looks like a jail) from her view, construction design may not result in what will actually be built.

Motion made (Mr. Fontaine) & seconded (Mr. McGrath) to close the public hearing.

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to Approve the Special Permit & Site Plan

Review for 8 Wilmot St with the following conditions:

- Address any department review comments, to satisfaction.
- Larger snow storage area, if excess snow is present on site, it needs to be removed from the site. Snow can't block sight lines and can't be plowed onto the City Street or sidewalk or within the right of way.
- Units be individual condominium units for sale, they cannot not be rented and are to be restricted as such.
- No third floor area so that there's no future possibility of future third bedrooms or finished space. No third floor finished or unfinished.
- Vinyl fence to be on the 8 Wilmot Street property.
- Property between borders, move the spaces so that it's deep enough for two cars, two cars deep. Subject to the property being built per the elevations provided.
- Units be two bedroom maximum only.

Roll call vote: Fontaine: Yes. Butland: Opposed. Koeck: Opposed. McGrath: Yes. Caron: Opposed.

Lopez: Yes

Vote 3-3 motion does not pass.

**Special Permit & Site Plan Review - True Storage, LLC, 432 John Fitch Hwy, conversion to Self-Storage - industrial use in a commercial district (continued from 02/28/23)**

Documents: Architectural Updates (3/14/2023, 10 pgs) prepared by True Storage Fitchburg; Site Plan updates, Retail Building Conversion, Parcel #48-1-0, 432-434 John Fitch Highway, Fitchburg, MA (3/15/2023, 2 pgs) prepared by Allen & Major Associates, Inc.; Public Comment (3/27/2023) by Andrew Van Hazinga (City Councilor, Ward 4).

Hearing re-opened.

Presenter(s): Atty. Aveni, Josh Sullivan, Michael Malinowski.

The new plans include raised roof lines you might see at other retail centers as well as entire new store entry glass. The applicant indicated they would be replacing all of the building lighting, bringing it up to code, making it more efficient and safe. Signage will be replaced as well. The entire roof will be replaced. Upgraded façade with raised rooflines, new store entry glass, consolidating electrical making it more efficient and safer including removing some unneeded transformers to make it more efficient in general. As for the parking lot, the plan is to repave and fix any existing drainage issues (flooding a historic problem), pavement improvements with traffic lanes and landscaping. There was an abandoned oil tank that was left above ground at the rear of the facility, that has already been removed. The new plans include 5 retail suites and a packing area within the storage facility, which will make it 6 retail spaces. Currently renewing leases maintain retail presence, for total of 17 retail uses at the site. Applicant will retain full ownership of self-storage and intends to use third party management (Cube Smart). Will be addressing site circulation, new pavement, addition of landscaping, future pad site. Removing 3 approx... 14,000 sq.ft. of pavement to help with storm water mitigation. Site improvements are less than 50% of the assessed value so floodproofing of building not required by code. Business hours typically 9:30 AM to 6:30 PM (no 24 hour access). No dumpster for the self-storage. Will move dumpster for existing tenant (laundromat)

DPW Comments: Parking lot and stormwater improvements should coordinate with 2028 John Fitch Highway planned improvements.

Board Comments: Concerns regarding security at rear of building, eliminate storage on one side of movie theater, improve site circulation traffic flow and safety, significant stormwater issue needs mitigation, additional landscaping and entrance driveway improvements, address signage and dumpster location. Would like to see overall attractive area and a project phasing timeline.

Public Comment: Written comments by Andrew Van Hazinga (City Councilor, Ward 4).

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue matter to the April 25<sup>th</sup> meeting.

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

**Special Permit & Site Plan Review – Speedy Cannabis, 339 River St., Marijuana Delivery Operator & Marijuana Courier Establishment (continued from 2/28/23)**

Documents: Proposed Floor Plan & Partial Site Plan-revised (revised 3/13/2023, 1pg) prepared by Lorigan Architects

Hearing re-opened.

Presenter(s): Sam Gandor, Speedy cannabis applicant and property owner (339 River St.).

The project has been scaled down to a single use with plans to get rid of the repair station, but the applicant didn't say anything about the gas. Gasoline tanks are in compliance and Fire department has advised that only an annual renewal is necessary. Per state code there need to be two drivers per van so there will be a maximum employee capacity of 4. [Discussion of curb, parking, bathroom access and FPD]

Public Comment: None

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue matter to the April 25<sup>th</sup> meeting.

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

**Modification of Special Permit 2021-12 – Amit Schilgi, 0 Beech St. (16 total units) conversion from four (4) unit buildings to eight (2) unit buildings.**

Documents: Special Permit Plans PUD Beech St. (revised 3/14/2023, 8pgs) prepared by McCarty Engineering, Inc.; Special Permit 2021-12 & Site Plan Approval (October 2021, recorded Bk 10530 Pg 76); Building Commissioner comments (3/27/2023)

Hearing opened.

Presenter(s): Amit Schilgi

Project previously approved for 16 units (four, 4-unit buildings). Applicant is requesting to modify the special permit to develop the 16 units as eight two-family dwellings and requests a transfer to a new developer. [Discussion on delay of transfer of authorization]. The road's the same, the utilities are the same. The grading did change some, because recent test pits at the proposed stormwater basin, requires raising the elevation to get two-foot separation from seasonal high groundwater which shifted that grading back through the site. Other than that, it's the same project, same conditions from the prior special permit.

DPW Comments: Can't allow drainage tie in on Beech St. as it's a combined system. Potential to direct to catch basin near driveway entrance and storm-tech underneath the driveway. Sewer separation may not occur until late 2020s.

Fire Comments, as noted by Mr. Fontaine pursuant to Captain Cringan email - proposed building separations ok

Public Comment: None

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

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to Approve the Special Permit & Site Plan Review for 0 Beech St with the following conditions:

- Conditions from previous approved permit to carry over
- Satisfactory approval from DPW (technical water, sewer, drainage etc.)
- A three year completion date

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes. Vote 7-0 in favor.

**Modification of Special Permit 2019-5 & Site Plan-The Hub Craft, 25 Newport St., permit extension & floor plan modification**

Documents: Floor Plan (1pg, no date); Hub Craft Extension of Special Permit 2019-5 & Site Plan Approval (2/2/2022, recorded Bk 10528, pg48).

Hearing opened.

Presenter(s): Howard Tanyu

The proponent presented a modification that would utilize just three of the rooms within the existing building instead of the building in its entirety. Concerns raised that such reconfiguration is comprising the security of the site. Recommendation that any changes proposed to be submitted to the Fitchburg PD for review. The proponent is also requesting a time extension for their existing permit.

Public Comment: None

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue matter to the April 25<sup>th</sup> meeting.

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

**Special Permit & Site Plan Review - Green Soul, LLC, 32 Oak Hill Lane, Cannabis Cultivation facility**

Documents: Green Soul Organics Special Permit Application (107 pgs); Existing Conditions Plan (1/21/2020, 1pg) prepared by Jarvis Land Survey, Inc.; 32 Oak Hill Lane Project Plans (12/22/2022, 15pgs) prepared by Khalsa Design; Greensoul Presentation Slides (12pgs); Stormwater Report (12/5/2022, 47pgs) prepared by Hancock Associates; Public Outreach Meeting Notice (3/16/2023); CHA Certification form (7/2/2019); Non-Medical Marijuana Checklist; DPW Review Comments (3/28/2023)

Hearing opened.

Presenter(s): Sira Grant, Brian Goodrow (Hancock Associates), Rich Harden & Tanya Carrie

The applicant Green Soul presented, a vertically integrated lifestyle brand focused on quality, culture and consumer experience. As a state of the art cultivation and manufacturing facility creating innovative and relevant cutting edge products. The applicant plans to maintain a seed bank to sustain quality and a diverse menu basing our retail strategy on having other prime locations in this case in Somerville and Cambridge. The applicant remarked that they are the first Black owned vertically integrated cultivation outfit in the state. The applicant intension is to distribute products all throughout the 351 cities and towns. They are committed to being a good neighbor, to also do what it is that's necessary to make sure this project can move forward in the most expeditious way. The applicant plans to, when at scale, employ to 20 to 25 people.

The red brick building is an existing mill building that's intended to be revitalized, the building behind it is an existing warehouse that's intended to be raised to the foundation and then a new three story building constructed on top. Two tiered parking, there's a lower tier on Oak Hill Lane and an upper tier on Fairmont Street. There are 19 spaces on the lower lot with ADA access, there's a ramp against the building up to the main entrance and then we have the main entrance with the staircase down connecting the two parking lot. There's going to be a retaining wall that's about 12 feet from that first story and in between the two parking lots, with parking on the Fairmont street, employees will, and then walk down the stairs to get into the building. Phase one portion is rehabbing the existing mill, the new cultivation building behind it. And then there's a phase two piece of this project for expanded cultivation. In between the phase one and phase two, there's a little gap in the building, that's for HVAC. On the back side of the Oak

Hill Lane side, the applicant is proposing the majority of the storm water drainage but beneath that there's an access drive that goes to a loading dock. Then on Oak Hill Lane proper, there's an existing parking area, there's six spots that are. The applicant is proposing transformers and secured parking spots as well. All of the existing utilities to the building come off of Oak Hill lane and with the intension to reuse what they can can, replace what has been deteriorated or that can't be reuse. The drainage is a very unique aspect of this parcel as drainage is not compliant. It it's just a carryover from the mill building and just buildings behind it. Essentially when it rains water sheds off of the site from Fairmont through the site, down to Oak Hill Lane as a series of catch basins that then convey runoffs to the Nashua River. The applicant has looked at the site holistically and they fall under redevelopment, primarily for this project, so they are doing storm water to the maximum extent practicable. The existing mill building right now has some roof leaders that go into Oak Hill Lane. They are proposing to maintain that, but also introducing new storm water management in both parking lots in the upper tier and the lower tier. The applicant has done extensive soil testing across the site to understand groundwater conditions and texture and the extent of still and legend and refusal, and this portion of the site is going to be our design methodology revolves around treatment. There was more discussion about additional requirements the Board would need for the next meeting. Which included, the resubmission of an abutters list and map with setbacks, waiver requests, and the exact number of employees to be on site, Community Host Agreement, odor mitigation plan, and notarized moral character forms and release authorization forms.

[Design description by Tanya Carrie, Department Head comments & discussion]

FPD Comments: No comments at this stage, will review further as plans develop.

DPW Comments: Preliminary review - need to make sure adequate water pressure and volume, projected sewer flows to figure out permitting pathway. Need to understand proposed drainage on site if going to tie into existing drainage system out on Oak Hill Lane. DPW happy to help applicant work through process and communicate early and often.

FFD Comments: None available.

Public Comment: None

Board Comments: Concerns regarding building height along Fairmount St., chiller location can't be abutting residential side, condition of abutting sidewalks, fencing. Available parking (40) for # employees/shifts for the size of proposed canopy of 100k sf appears low compared to nearby Rev Clinics (120 employees in multiple shifts with 171 spaces and 30 minute overlay).

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue matter to the April 25<sup>th</sup> meeting.

Roll call vote: Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Butland: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes.

Vote 7-0 in favor.

## **OTHER BUSINESS**

### Special Permit #2022-7 & Site Plan- Mad River Solar, LLC.- 0 Ashburnham St- Stormwater update

There was a special permit that was granted for Mad River Solar, LLC with the condition to submit a stormwater update, they have satisfied that condition and that storm water update has been forwarded to DPW. Awaiting DPW comments for final decision.

### Evaluate 2023 December meeting date (currently 12/26/23)

[Discussion not set date, possible hybrid meeting]

### Reschedule 04/25/23

Hybrid meeting scheduled to be held in the North Room at City Hall.

### Meeting Minutes

None at this time.

**AJOURN**

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to adjourn. Vote 7-0 in favor.

Meeting adjourned: 10:31 p.m.

Next meeting: 04/25/23- Hybrid