

**DRAFT FITCHBURG PLANNING BOARD MEETING MINUTES  
TUESDAY, AUGUST 14, 2018**

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

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

**Call to Order**

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

**ANR PLANS**

Root, 475 Mt. Elam Rd.

Frank Preston, Whitman & Bingham representing property owner Michael Root presented plan to enlarge back yard of lot. Parcel B (21,000 sq. ft.) to be incorporated into 475 Mt. Elam lot.

Motion made & seconded to endorse the plan. Vote in favor.

Ashburnham Hill Rd. & Caswell Rd.

Currently two parcels in the same ownership, Ashburnham Hill Road Realty Trust. Existing dwelling at 1399 Ashburnham Hill Road is the proposed Lot 1. The 26 acre Lot 2 has existing barn. Parcel A (not to be considered a building lot) is being conveyed to and incorporated into adjacent lot of John C. & Sherri L. Fairbanks. Remainder of 65 acres to be Lot 3.

Motion made & seconded to endorse the plan. Vote in favor.

**MINOR SITE PLAN REVIEW**

Hollis Hills Farm, 340 Marshall Rd. - Outdoor Area

Greg Roy, Ducharme & Dillis and Jim Lattanzi, Hollis Hills Farm presented plan showing recent changes to the barn & outdoor area. Most of Hollis Hills’ customers come for maple season or U-pick. Intent is to have more goods & activities available through the year. Jim constructed an outdoor bar area for outdoor activities, food & beverage, and music & entertainment. It opened July 21<sup>st</sup>. He was not aware of the need to submit site plan. He apologized, he would have come to the Planning Board had he realized he needed to, but he is here today asking the board for approval.

Board reviewed the available parking locations - over 350 parking spaces and 6 handicap spaces provided with smooth access to the building. He has had a liquor license for 2½ years.

Board expressed concern about backing from parking spaces further up Marshall Rd. into the street.

Jim: Marshall Rd. only has a few houses that use that road. Most of traffic is going to Hollis Hills.

They can also use the upper part of the lot during events and the front lot usually fills up first.

Board: Hollis Hills Farm is a great asset to the neighborhood and community.

Public Comment: Mary Jo Bohart, Economic Development Director spoke in favor as she has worked closely with Jim and feels that it is a great location for locals and regionals to enjoy. It is a nice upgrade.

Motion made and seconded to approve Minor Site Plan. Vote in favor.

**PUBLIC HEARINGS**

Special Permit, Patel, 767 River St., convert 1<sup>st</sup> floor store into apartment (continued from 7/10/18)

Mr. Patel is seeking to convert the 1<sup>st</sup> floor into an apartment. He has not been able to secure parking from either his business partner at the convenience store or from Fairbanks Auto parking lot, owned by Harvest Church. He stated that the person he spoke to from the church has given verbal permission but is are not willing to put anything in writing. Board concerned about winter parking for tenants.

Board said they cannot approve parking on the street. Legally there may be one parking spot, but definitely not two or more. A car parking there for 24+ hours would cause problems for plows and safety issues. There needs to be off-street parking, two per unit. Also, the submitted plan was not a solid plan to make a decision. Plan will need to be revised to show property lines & parking spaces on site if there is one.

Public Comments: None

Board discussion: Not enough info to vote. Need to show parking, in the meantime plans can be referred to Building Commissioner to see if what would be needed to convert use to residential & bring up to Code. Mr. Patel will try again to rent spaces for parking.

Motion made and seconded to continue hearing to next month. Vote in favor

Site Plan Review - TJA Pope Solar, LLC, 885 Fisher Rd., 2.7 MW ground-mounted solar array

Present: Doug Pope, Principal, TJA Solar, David Kelley, Meridian Assocs. & Jim Lattanzi, Hollis Hills Farm. Doug & David presented plan. Proposed is a "Dual Use" 1.9 MW solar array on pasture land on a 34 ac. parcel acquired by Hollis Hills last year.

Proposed solar array will be in a fenced-in 9 ac. area. Will be part of Mass Dept. of Agricultural Resources SMART program. Pope Solar will enter a 25-year lease with option of two 5-year renewals.

Solar Panels will be raised 8 ft. high to allow grazing animals, and aisle between panels will be 28 ft. wide to allow more light for growth in pasture. Grass will still need to be mowed min. once, maybe 2-3 times a year. Mowing the grass promotes growth. They propose to plant 54 junipers to serve as screening to neighbors, each 8 ft. o.c., start at 8-10 ft. high and will grow up to 40 ft.

Solar panels will bring a steady flow of income to help support the farm. Access to site is from Fisher Rd., also there will be about 5 gates around the property.

What is closest house, will there be any noise? All inverters are small string inverters that distribute noise. Noise will not be substantial to trouble abutters.

Board commented on poor condition of existing buildings on the property. Will they be torn down?

Mr. Lattanzi: The building with the missing roof will be repaired. He would like to restore soon as funds become available. Board reminded that it could become a safety issue if left unattended. Currently the buildings are still secure, there's no squatting.

Issue of panel removal bond discussed. What would happen if extensive damage to panels, or is the project fails? Is there an estimate for removal?

Mr. Pope: Unless that's part of their insurance coverage, they would most likely do a separate bond. Topic to be brought up with the City Solicitor.

Public Comment:

Dana & Lorna Sulin, 865 Fisher Rd. glad to hear that rules for installation are being followed. Want to make sure that the most survey with corrected property lines is the one being used. Also would like to make sure that the abutter's properties are not being affected.

John Sulin, 861 Fisher Rd. - How far it is from his property, are there panels behind his property? Evergreens would screen view.

Motion made and seconded to close public hearing. Vote in favor.

Motion made and seconded to approve Site Plan with the following conditions:

- Panel removal Bond to be secured
- Secure or repair existing dwelling within two years.
- Standard conditions used in other solar arrays permitted by the Board.

Vote 5-0 to Approve Site Plan.

Special Permit & Site Plan Review - Pappas, 655 Main St., parking relief

Present: Jim Pappas. His brother-in-law Rick Boscardin is proposing to make 3 condo units on 2<sup>nd</sup> floor of 655 Main St. (former Fitchburg Gas & Light bldg.) First floor commercial space is intended to remain medical/professional, tenants TBD. Second floor approx. 5,000 sq. ft. will have three 2 BR, 2 BA in each. No elevator. Residential above 1<sup>st</sup> floor on Main St. is permitted by right. He is seeking relief from the off-street parking requirement. Building takes up the entire parcel, no room for parking. He cannot have residential parking on meters on Main St. He will look into parking on Grove St. Access for the street side & middle 2<sup>nd</sup> floor units will be from the front; the rear unit will have a staircase from Grove St. He will find a way to segregate use of residential and commercial use. Board has asked Mr. Pappas to email copy of floor plan to Mike O'Hara.

Boscardin could allow parking at the former Sentinel & Enterprise bldg. The vacant city-owned lot that was the former fire station could also be an option. Three condo units would require six parking spaces. Board: Grove St. is not all that practical. Mr. Pappas also states that the Historical Society mentioned they would be open to parking there but not in writing.

Board discussed options for parking. Applicant could get permit from city for spaces on Fox St. To encourage use of empty floor space on Main St. may have to look at options of not requiring parking. Mr. Pappas says that he can get parking permit on Grove St. for \$30 a year. It may be more beneficial to reserve spaces in municipal parking garage with requirement to notify tenants via deed. Condo association master deed could note that each unit will have access to either parking garage or on-street parking permit.

Public Comment:

-Tom Skwierawski commented on why Main St. is different from River St. (discussed earlier in meeting) and should be treated as such. Parking requirements on Main St. may need to be treated differently to encourage the redevelopment.

- Dave Nickless, 625 & 639 Main St. finds it disturbing that Mr. Pappas has needed to ask for parking relief. There are plenty of empty parking spaces, we need to fill the empty commercial spaces, and therefore should get rid of parking requirements.

- Mary Jo Bohart reminded the Board that we need to encourage in-town mixed-use development living. It is a different animal than someone who wants to live in West Fitchburg.

Board discussed what would be an ideal condition where parking can be relieved. Would it be better to have the tenants get their own parking or have owner provide? Two parking spaces \$30 a month @ tenant's expense. Provide notification of available off street parking in deed to owners.

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

Motion made and seconded to approve special permit and site plan review.

Vote 6-0 in Favor.

Special Permit - Seney, 22-unit Flexible Development, Meadowbrook Lane

Hearing opened. Mr. Fontaine stating Board had received an email from an abutter at 478 Canton St who was unable to attend. She expressed concern that there's a tree touching their roof.

Wes Flis, P.E., Whitman and Bingham presented Mr. Seney's proposal for a 22-unit, 11 duplex proposal. Each unit will have a 22 ft. wide driveway. 7 townhouse style duplexes will be on the uphill (northerly) side of the proposed road and be built into the hill. Some units will have driveways and garages and flat backyards. Bottom units will have walkout basements. Units on southerly side would be single-story ranches. Closest abutter is 110 ft away. Seney is open to some sort of buffering. Development will be on public water & sewer, flow test will be done to check water pressure. Stormwater system will have detention basin & outlet to drainage structures in Canton St. He will work with DPW to determine if gate on Meadowbrook Lane should be relocated. It was previously mentioned that a traffic study around Meadowbrook Lane & surrounding intersections should be done due to abutter's concern of extra vehicles. If there is not a stop sign, one can be put in.

Board would like to continue this discussion for when all board members are present. Board members commented that this plan is a lot better than previous versions. Board suggested showing streetlights on plan. Privacy fence must be vinyl to screen abutters from stormwater basin. Detention basin is 4 feet deep, elev. 446 at the bottom.

Q: How will PUD benefit the city? It will give an opportunity to newcomers, any development in Fitchburg is good for Fitchburg. Q: will there be condo association? Yes.

Maintenance plan for annual inspections and cleaning for stormwater basin.

Applicant is asking Board for conditions so that they can proceed & come back with revised plans.

Board wants to have stormwater reviewed by a 3<sup>rd</sup> party engineering firm.

Public Comment:

Sandra Hurtubise 440 Canton St.-There was talk about fencing around the area. Yes, there will some type of buffer. Trees would be better than fence, they will grow taller. She prefers some type of screening around her property.

Board suggest overlay paving on left side of Canton from Meadowbrook 500 feet down; there's two huge potholes applicant can fill while working on project.

Motion made and seconded to continue hearing to next meeting September 11<sup>th</sup>. Vote in favor.

**OTHER BUSINESS**

Special Permit #2010-6, Community Health Connections, improvements to Drepanos Dr.

No one present from CHC. Item deferred to Sept. meeting.

-Mr. Hurley expressed concern that on hot days on Main St. a large crowd congregates across from Shacks during the evening with lawn chairs. Are there No Loitering signs? Is it a police issue?

-Mr. Hurley brought a concern that he read on the paper about land in Westminster to be exchanged as a protected land under Article 97. It is in related to the landfill expansion. Staff will research.

-Mr. DiPasquale expressed concern that trees approaching South & Electric intersection block the view of traffic lights. Board commented that DPW already knows and it is on their radar to cut them.

-Mr. Hurley asked if work at Game On site has stopped. They don't seem to have done any work in the last couple weeks. He heard that the banks were pulling back on their money. Mr. O'Hara stated that they have still been sending in SWPPP reports. Board requested an update at next meeting.

-Mr. Hurley stated that used cars on display next to Amiott Field are parked on grass. Are they supposed to be on pavement? Also, Performance Auto on Main St. looks bad, trailer on site. Both sites License Commission issues?

Ch. 61A - Notice of Intent to Sell, Lanni, Pearl Hill Rd. 60 ac.

City has rec'd a Notice of Intent to Sell property under Ch. 61A (Agricultural) protection to Mark Fanelli for \$325K. City has right of first refusal & has 180 days to match the offer. Petition to City Council requested that that time period be waived. Petition was referred to Conservation Commission & Planning Board, among others. Board agreed to make no recommendation one way or the other.

Adult Use marijuana retail locations - separation requirement?

Mr. Fontaine read draft language regarding potential clustering. The Board will do further evaluation and discuss at next Board meeting.

Meeting Minutes

Minutes of July 10<sup>th</sup> meeting approved with several corrections.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 9:33 p.m.

Next meeting: August 21, 2018

Next monthly meeting: September 11, 2018