

May 12 2021 12:11 pm

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, MARCH 9, 2021**

NOTE: *This was a Virtual meeting on GoToSeminar due to the pandemic.*

MEMBERS PRESENT: Paula Caron, Chair Paul Fontaine, Jr., Vice Chair
Peter Capodagli Alyne Butland
Amanda Koeck Laura O’Kane
Alex Lopez Tracey McGrath (Associate member)

STAFF: Mike O’Hara, Tom Skwierawski

CALL TO ORDER

Meeting called to order at 6:03 p.m.

ANR PLANS

135 Intervale, LLC

Present: Calvin Champlin, Amazon. Jamie Rheault, Whitman & Bingham Associates.

Jamie shared his screen to show the proposed plan compared to the previously endorsed ANR plan. The property lines between the existing 135 & 139 Intervale Road parcels are proposed to be adjusted to create a 19 ac. combined 1A & 1B (135 Intervale), a 4.45 ac. combined parcel 2A & 2B (139 Intervale) and a conforming 2.2 ac. Lot 3. Access easement “A” is to be eliminated; access easement “B” is to be retained for the benefit of Lots 1 & 3.

Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to approve the plan and authorize Mike O’Hara to sign the plan on the Board’s behalf.

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

PUBLIC HEARINGS

Special Permit & Site Plan Review - Longley, Earth Removal - 139 Warner Ave. (cont’d from 11/10/20)

Present: On behalf of the applicant, Jamie Rheault had requested earlier that day to continue to next month. Mr. Fontaine suggested that if the applicant was not ready to be on the April 13th agenda, then he should request that the application be Withdrawn. (*Note: This request to withdraw was rec’d 3/10/21*)

MINOR SPECIAL PERMIT MODIFICATIONS/EXTENSIONS

Special Permit #2017-1, Game On Fitchburg - Extension

Present: Peter Sangermano, Fitchburg Soccer, LLC and Atty. Tom Bovenzi.

Background: Planning Board agreed last year to permit the use of Fields 5, 6 & 7, but unless the building was complete this permission would expire 12/31/20. The building has not been completed & that permission expired. Field 2 has been completed.

Atty. Bovenzi had submitted a letter to the Board dated 3/8/2021 requesting that last year’s permission to use the fields be extended, and to extend the period for the completion of entrance improvements at the Industrial Rd. entrance and installation of utilities to the site by Sept. 1, 2021.

Steve Marsden is not associated with the project anymore. Peter has new partners: Steve Boucher of Boucher Construction (site contractor) and Oscar Johnson.

Atty. Bovenzi: Installation of utilities have been delayed. They were hoping to pay Unutil’s deposit in phases, but Unutil requires the full deposit up front. They plan on starting some road improvements next week. They plan to submit to the Board plans for improvements to the entrance by July 15.

Peter: Some soccer field users have expressed interest in providing funding for landscaping & an entrance sign at Game One Way and a replacement sign at Westminster St. & Industrial Road.

05/12/2021

There is also interest in providing a future median on Industrial Rd. and a possible future hotel on the Game on site.

Public Comment:

Mayor DiNatale expressed support for an extension.

Alan Twomley, FHS Athletic Director: Game On was good to their teams last year. Being able to use the fields in the spring would save kids from practicing on pavement, on mud, etc.

Dave Reid, Monty Tech Athletic Director: His teams are also seeking to use the fields for spring practices.

Both Athletic Directors stated that they will make sure that players & parents take Industrial Rd. to access Game On, not Roper Rd. In addition, numerous emails have been rec'd from FHS & Monty Tech students asking that they be able to use the fields.

Peter S: Game On only charges schools half of the normal rate (\$200/hr.) for the use of the fields.

Mr. Fontaine: But wasn't there Special Permit condition is that the fields would be able to be used by Fitchburg schools free of charge?

Board comment:

Ms. Caron clarified the request: Re-open fields 2, 5, 6 & 7. Utilities to bldg. to be completed by 9/1/2021.

Submit plans for landscaping/sign improvements at Game On entrance & Industrial Rd. by 7/15/21.

These improvements to be completed by 9/1/21.

Mr. Fontaine: Is access to the Game On bldg. blocked off when Fields 5, 6 & 7 are being used? Yes.

Ms. Koeck: Are Game On patrons still using Roper Rd.?

Peter: They have installed signs on Rt. 2A showing the proper entrance to Game On via Industrial Rd.

Mr. Fontaine & Mr. Capodagli: OK w/ extension.

Ms. O'Kane: Yes, move forward on project.

Mr. Lopez: Don't penalize the kids, but he's concerned with the lack of accountability on the project.

Ms. Butland agreed, problems shouldn't be pushed onto the students.

Ms. Koeck agreed, get project done already.

Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to approve the proposed Minor Modification to the Special Permit. Roll call vote:

Lopez: Yes. Butland: Koeck: Yes. Capodagli: Yes. Fontaine: Yes. O'Kane: Yes. Caron: Yes.

Vote 7-0 in favor.

Special Permit #2018-17, Native Sun Wellness, 140 Industrial Rd. - Extension

Present: Michael Drayer, Native Sun. Atty. Phil Silverman, Capt. Matt Lemay, Fitchburg P.D.

December 2018: Planning Bd. voted to approve Special Permit for an Adult Use Marijuana

Cultivation/Processing facility. Sept. 2019: Board granted extension to March 9, 2021.

Native Sun is requesting another year's extension.

Mike D: Progress to date: They have done some minor demo in the building. Until has upgraded power to the site. CCC has issued a Provisional License for a Tier 5 Cultivation (30,001 - 40,000 sq. ft. grow canopy).

Atty. Silverman acknowledged that the 3/9/2021 "Commence Operations by" date is automatically extended 8 months due to the Covid State of Emergency. Still, they are requesting an extension on the Special Permit from the Board to clarify.

Capt. Lemay: Security plan has met the minimum standards. FPD reserves further comment until a final walk-thru prior to occupancy.

Motion made (Mr. Fontaine) & seconded (Ms. O'Kane) to Grant an extension to March 9, 2022.

Vote 7-0 in favor.

PUBLIC HEARINGS

Special Permit & Site Plan Review - Cure Pack MA, LLC, 644 River St. - Marijuana Product Manufacturer

Present: Tad Acker, Cure Pack MA, Atty. James Valeriani, Mensing Group, Hal Melanson, property owner. Hearing opened. Jim & Tad presented proposal to use a 1,200 sq. ft. portion of Bldg. #2 for a Cannabis processing/packing facility. Tad's business model is that the packing process is almost fully automated, as opposed to hand-packing which results in ~7% waste. Automated packing results in almost zero waste, which will be kept inside, no outside dumpsters.

There is no extraction of product, no chemicals used in process. They will be taking in products from several Cannabis cultivators and deliver packaged products to retailers via several small vans at staggered times. Cure Pak will have about 6 employees to start, eventually could expand up to 12. Hal: Blue Collar Botany is not operating yet, they are in the process of preparing more detailed floor plans.

Nick Erickson, DPW: DPW has submitted comments, which the applicant has already addressed.
Public comment: None.

Board comments:

Ms. Caron: Noted it must comply with odor control.

Capt. Lemay: Fitchburg P.D. has reviewed their security plan: It meets the minimum CCC standards, reserves further comment until a final walk-thru prior to occupancy.

Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to close the hearing. Vote 7-0 in favor.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to Approve a Special Permit.

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

Site Plan Review - MKEP 770 LLC, 50 Frankfort St. - conversion to 16 multifamily units

Hearing opened. Present: David King, REMAX Patriot Realty.

Proposal is to convert vacant structure into market rate condos, a mix of 1-BR and 2-BRs. Price range \$190-280K.

He had been planning to use the adjacent 46 Frankfort St. for parking, but no longer has a deal. There are 19 spaces adjacent to the property. He plans to have an agreement in place for another 37+/- spaces on an abutting parcel within a couple of weeks.

All units will have private entrances, there are no common areas. All individual utilities. Each unit will have individual energy-efficient heat pumps (SEER units).

Board comment:

Ms. Caron: Since proposed parking situation is not finalized, the Board cannot make a decision at this time.

Mr. Capodagli: Will there be a property manager?

There will be a Homeowners Association set up which will use a professional property manager.

Mr. Capodagli: Not in favor of the # of units. The project needs more open space & some landscaping. Not impressed with the plans, looks likes barracks. He'd rather the bldg. be razed and 8-9 new condos built on site.

Ms. O'Kane: A teardown & rebuild may be uneconomical.

Public Comment

Ms. Caron read a letter submitted by Elizabeth Sullivan, 66 Frankfort St. objecting to the proposal. Bob Gaudet, corner Frankfort & Pratt, concerned with future residents working on cars in driveways, etc.

Dennis Piper, 62 Frankfort St.: The predominantly 1- & 2 -family neighborhood would be overwhelmed with a 16-unit project. Also, that structure's basement fills with water.

David well aware of that, he's had to turn on the pumps in the cellar. The Cul-Tech recharge chambers that will be installed will take care of that issue.

Jeff Linthicum, representing Southern New England Conference Association of Seventh Day Adventists Church: Reserves comment until he's able to review the plan.

Board agreed: Applicant needs to come up with a landscaping plan, show parking setbacks, trash receptacles/dumpsters screened, and revised architectural plans.

Nick Erickson, DPW-Engineering: They're generally OK with the drainage design, but applicants need to submit calculations, or tie into the City's stormwater line.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to continue the hearing to the April meeting. Vote 7-0 in favor.

Site Plan Review - Einstein's Solutions, Contractors Garage/Warehouse, 0 Berry St. (Hardy Passway)
Hearing opened. Present: David Langton, Einstein's & Chris Anderson, Hannigan Engineering.

Chris presented plan dated 2/5/21 for a proposed 7,000 sq. ft. warehouse on a 1.9 ac. sq. ft. parcel. The parcel already has regrid and some vehicle & equipment is being stored there. Building to be used as a warehouse & contractors vehicle storage. Area on the south & west of building proposed to be loamed & seeded. Roof will be pitched to the rear into an underground drainage ditch. An existing line of evergreens will be extended along the street frontage.

Board reviewed building elevations as shown on the plan by D.R. Poulin Construction dated 2/1/21 – a plan metal bldg. with slanted roof. Bldg. height: 20 ft. on the low side, 25 ft. on the high side.

Public Comment: Steve Faucher 36-38 Berry St. - Has lived in area for a long time. This site was former dump.

Dave Langton: There had had an environmental evaluation done prior to purchasing to purchasing the property & found no problems.

Perry Comeau: Owns abutting properties at 2 Hardy Passway & 41 Berry St. - had questions about excavation near his property. Is concerned with levels of exposure with future excavation.

Ms. Caron noted that the zoning boundary splits the lot & requested that Einstein's equipment storage is conducted on the Industrially-zoned portion of the parcel, where it is allowed.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to close the hearing. Vote 7-0 in favor.

Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to grant Site Plan Approval.

Roll call vote: Lopez: Yes. Butland: Yes. Koeck: Yes. Capodagli: Yes. O'Kane: Yes. Fontaine: Yes.

Caron: Yes. Vote 7-0 in favor.

Meeting Minutes

12/8/20 - Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to approve with several corrections. Vote in favor.

1/12/21 - Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to approve with several corrections. Vote in favor.

1/25/21 - Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to approve with several corrections. Vote in favor.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 9:03 p.m.

Next meeting: April 13, 2021

Minutes Approved: May 11, 2021