



2020 SEP 10 AM 11:45
FITCHBURG CITY CLERK

WELCOME TO THE FITCHBURG CITY COUNCIL!

This is intended to help you understand the meeting format and assist you with the rules of the Council as they pertain to your participation.

All meetings of the Fitchburg City council are open to the public. This does not mean that the public participates in all aspects of the meeting. It simply means that the meeting itself, including all discussions and votes, is open for public view.

Executive Session

The only time a Council meeting can be closed to the public is when the Council votes for Executive Session in order to discuss sensitive matters in private, such as pending litigation. Any votes taken however, must be taken in open session.

OPPORTUNITIES FOR THE PUBLIC TO SPEAK DURING A COUNCIL MEETING:

Public Forum

The Public Forum occurs immediately following the Pledge of Allegiance. The President will ask if anyone in the audience wishes to speak on any matter appearing on the Agenda. If you wish to address the Council, you must stand and be recognized and follow these rules before speaking:

1. State your name and address.
2. Approach the center table and either stand or sit. This allows you to be seen and heard clearly by everyone in attendance.
3. You may speak only on items appearing on the agenda for no more than (2) minutes. Copies of the agenda are available on the center table prior to the meeting.
4. Please state the petition, order, ordinance, or resolution number to which you refer.

Public Hearings

Public hearings are held on various issues such as Special Permits and Zoning changes. The same rules apply with the following exceptions:

1. You must stand and be recognized either "in favor" or "in opposition" when asked by the Council President.
2. You need not refer to the petition number.

If you have any questions or comments either before or after the meeting, any Councillor would be happy to assist you.

Thank you for your interest!

I. PUBLIC FORUM

The public is invited to participate in the Zoom webinar of
Sep 15, 2020 07:00 PM Eastern Time
Topic: Fitchburg City Council Meeting - September 15, 2020

Register in advance for the Public Comment/Hearing portion of the Agenda by going to:
https://us02web.zoom.us/webinar/register/WN_kmNW_rh4Sk6Qu0IjqXv57w

After registering, you will receive a confirmation email containing information about logging in to join the webinar.

Alternatively, comments of not more than two (2) minutes may be sent to the City Clerk's Office by NOON on September 15, 2020 by calling 978-829-1820 or via email at: cityclerk@fitchburgma.gov.

II. REPORT OF COMMITTEE ON RECORDS

III. COMMUNICATION

His Honor the Mayor
Appointment Letter

1. Mr. Mark A. Barbadoro, as the Building Commissioner, for a term to expire October 1, 2023.

IV. SPECIAL PRESENTATION

Fitchburg State University
The University's Operations and covid-19 Plan

V. REPORTS OF COMMITTEES

Appointments Committee Oral Report Meeting of September 15, 2020

Re-Appointment:

Veteran's Service Commissioner

(Term to expire October 1, 2023)

Ms. Michele Marino

New Appointments:

Permanent Full Time Firefighters

For the City of Fitchburg

Charles A. Colburn, III

Ryan J. Major

VI. ORDERS-FINANCE

- 200-20. That there be and hereby is transferred from within the sum of SEVENTY-SIX THOUSAND, ONE HUNDRED SIXTY AND 00/100 DOLLARS (\$76,160.00) same to be transferred from YEAR 45 DEMOLITION to YEAR 45 BUSINESS LOAN POOL.
- 201-20. That there be and hereby is transferred from within the sum of ONE HUNDRED SIXTY THOUSAND, EIGHTEEN AND 00/100 DOLLARS (\$160,018.00) same to be transferred from YEAR 46 DEMOLITION to YEAR 46 BUSINESS LOAN POOL.
- 202-20. That there be and hereby is transferred from within the sum of FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) same to be transferred from YEAR 45 DEMOLITION to YEAR 45 PARKS AND PLAYGROUNDS.
- 203-20. That there be and hereby is transferred from within the sum of TWO THOUSAND AND 00/100 DOLLARS (\$2,000.00) same to be transferred from YEAR 45 DEMOLITION to YEAR 45 CROCKER FIELD.

VII. PETITIONS

- 204-20. Jeff Murawski, Deputy Commission of Wastewater, to request changes to the City Code, Chapter 147, Sewers, as outlined in the enclosed Petition.
(Water/Wastewater Commission, Legislative Affairs Committee)

https://www.fitchburgma.gov/DocumentCenter/View/6853/Fitchburg-Sewer-Use-Ordinance-Changes_2020

https://www.fitchburgma.gov/DocumentCenter/View/6854/JAM_Ordinance-Change-Ltr_2020-09-10

Next Regular Meeting
Tuesday, October 6, 2020, 7:00 PM

City of
Fitchburg



Department of
Public Works

COMMISSIONER

301 Broad Street
978-829-1910
978-345-9687 FAX

STREETS & PARKS

301 Broad Street
978-829-1900
978-345-9687 FAX

WASTEWATER

301 Broad Street
978-829-1930
978-345-9687 FAX

WATER

1200 Rindge Road
978-345-9616
978-345-9555 FAX

ENGINEERING

301 Broad Street
978-829-1917
978-345-9687 FAX

CEMETERIES

115 Mount Elam Road
978-345-9578
978-345-9686 FAX

September 10, 2020

The Honorable City Council
Fitchburg City Hall Offices
166 Boulder Drive, Suite 108
Fitchburg, MA 01420

Subject: Sewer Ordinance Changes, to Fitchburg City Code Chapter 147

Dear Council President Michael Kushmerek, and Members of Council,

Attached, is respectfully submitted requested changes to City Code Chapter 147, Sewers. These changes fall within the following categories:

- Incorporation of EPA-approved 'Local Limits', which need to be promulgated into ordinance;
- Incorporation of changes required by "Pretreatment Streamlining Rule" of the National Pretreatment Program (40 CFR 403), which need to be promulgated into ordinance; and
- Correcting inadvertent erroneous changes from the May 9th, 2019 Mayor-signed, May 7th, 2019 Council-approved Ordinance 120-19 amendment to Chapter 147.

The submitted changes neither adds any new fees or charges, nor do these changes alter any pre-existing fees or charges amounts that have been previously voted and approved by Council.

If there are any questions concerning this matter, please contact DPW Deputy Commissioner, Jeff Murawski, at (978) 829 - 1930.

Sincerely,

FITCHBURG DPW, WASTEWATER DIVISION

Jeffrey A. Murawski, P.E.
Fitchburg DPW Deputy Commissioner of Wastewater

Attachment

Cc.: Stephen L. DiNatale, Mayor of the City of Fitchburg
Vincent P. Pusateri, II, Esq., Fitchburg City Solicitor
Mary de Alderete, Fitchburg City Clerk
Nicolas H. Bosonetto, P.E., Commissioner of Public Works
Calvin D. Brooks, Fitchburg City Auditor
Anne Cervantes, Fitchburg City Treasurer
File

EVIDENCE OF PUBLIC HEARING – SECTION 66.03(2)

The proposed Housing Development Zone (HD Zone) and Housing Development Zone Plan (HD Zone Plan) was put forth before the Fitchburg City Council, consistent with the regulations of the Housing Development Incentive Program (HDIP), at its June 4, 2013 meeting. The City Council hosted the required public hearing on June 18, 2013. Attached are copies of the required notices published in the *Sentinel and Enterprise* newspaper in each of two successive weeks, the last publication being at least three days prior to the public hearing. The City Council on June 18, 2013 approved the proposed HD Zone, HD Zone Plan and the orders authorizing the approval of the Tax Increment Exemption agreement. Copies of the Council Approvals are attached.

On 2020, City Council approved an amended plan and zone, which included further parcels along the western end of downtown.

Formatted: Highlight

APPROVAL BY MUNICIPAL LEGISLATIVE BODY – SECTION 66.03(3)

The proposed HD Zone and proposed HD Zone Plan were approved by the full City Council at its meeting held on June 18, 2013. See attached copies of the approved and signed council orders.

The amended HD Zone and HD Zone Plan were approved by the full City Council at its meeting held on _____, 2020. See attached copies of the approved and signed council orders.

Formatted: Highlight

EXECUTIVE SUMMARY

~~The name of the~~The City of Fitchburg's proposes ~~amending its~~ -HD Zone, known as the ~~is the~~ Downtown Area Market Rate Housing Incentive Zone. The ~~current proposed~~-zone is located in downtown Fitchburg with the same boundaries as the City's existing Student Housing Overlay District ~~and Urban Renewal Area, and has significant overlap with~~overlap with the City's Smart Growth Zone. ~~plus a historic school building that is vacant and has had some development interest in recent months.~~ The amendment proposes to expand the HDIP zone into an adjacent area just north of the existing zone on River Street, capturing three mill buildings called the Iver Johnson buildings, and a number of smaller projects along the western edge of Fitchburg's downtown. The objectives of the Housing Development Zone Plan are to increase residential growth, expand the diversity of housing stock, support economic development via commercial growth, and promote neighborhood stabilization.

There is a clear need for multi-unit market rate housing in the ~~proposed~~ Downtown Area Market Rate Housing Incentive Zone. As part of the planning process for the redevelopment of 470 Main Street the Twin Cities Community Development Corporation (TCCDC) commissioned a market study, *Alternative Marketing Analysis*, prepared by The Foster Company. This study found that the Downtown of Fitchburg can support additional housing units. ~~Since the original study and adoption of our HD Zone, a mill building conversion called Fitchburg Yarnlofts, (1248 Main Street), just beyond the current HD Zone, created 96 units of mixed income housing and has been very successful. Completed in 2017 the project leased up 100% in just a few months and the both affordable and market rate units have been in high demand since, with the market rate units setting a new bar for quality market rate housing.~~ Currently, there is a lack of quality market rate rental housing in the HD Zone area, and the desire for it is demonstrated by the quick lease-up at Yarnlofts. The majority of apartments in downtown are in smaller buildings that require renovation and substantial rehabilitation. The ~~proposed~~ HDIP Zone shows a rental rate of 53 percent largely located in aging 2-8 unit converted Victorian homes and triple-deckers. ~~This coupled with the very quick lease up of the Yarnlofts market-rate units,~~ suggests the need for additional quality modern rental units in this area. The population for the ~~currentproposed~~ ~~Downtown~~current Downtown HDIP Zone is ~~determined to be~~ 7,714 with 3,129 households, 34 percent of which have children. The average household size is 2.5 persons. The low household size in comparison to the rest of the City indicates a market that may prefer downtown housing, such as empty nesters, young professionals, and non-family households. ~~There a few large scale multi-family apartment complexes in Fitchburg and the most recent ones are targeted to affordable or elderly households.~~ Two separate studies have indicated the need to increase residential occupation in Downtown buildings and that this area could support approximately 200+ additional units. The study was undertaken prior to the fire and demolition of the Johnsonia building, at 520 Main Street. That property contained 52 units of market rate housing that was fully leased prior to destruction in a fire. Those 52 units eliminated in the fire can be added to the demand within the

Downtown. Another unique housing characteristic in the HDIP Zone is the expansion of [The Fitchburg State University Facilities into the downtown area](#) and university-centric housing for both students, graduate professionals, faculty and the demand created by the proximity of Fitchburg State University. The ~~creation of a~~ Downtown HD Zone ~~and expansion which would~~ makes the buildings in the Downtown eligible for the HDIP incentives ~~would and serves~~ to engender a virtuous circuit of growth that would increase property values and support rents increasing above HUD affordability levels.

There are several development activities, public and private, proposed for the Downtown Market Rate Housing Incentive Zone. After identifying the redevelopment of the downtown as a critical factor to enhance the viability of the community as a desirable place to live and work, the City made some key investments into several development activities, both public and private, in the HD Zone. This multifaceted approach included the establishment of the Student Housing Overlay District to streamline permitting for new projects and increase the opportunity to develop residential housing downtown, ~~the creation and then expansion of a 40R Smart Growth Zone,~~ critical investment in ~~four key historic cultural buildings,~~ [multiple historic buildings including renovation of City Hall, Fitchburg State University's acquisition and planned renovation of the Fitchburg Theater Block, Renovation of the Harper Furniture building and former BF Brown buildings as mixed-income housing, and upcoming \\$3.7 million investment to turn ~~our~~ Main Street and Boulder Drive from two-way traffic, with a number of complete streets improvements, -Directions-, and a multi-phased multimillion dollar streetscape project. The streetscape project covers the downtown from Main Street at North Street and Main to the Upper Common. The ~~project will create and connecting~~ pedestrian spaces, improve pedestrian safety in the downtown, incorporate green features into the design and includes public art in its layout.](#)

~~To date there~~ Although no development has yet to utilize HDIP credits, three projects are currently proposed as market rate in the area, two are within the HD zone and interested in the HDIP program, and the third would be a part of the amended/expanded HD Zone. The two within the zone, look very different, one is proposed as 112 ~~96~~ units of market rate housing with commercial on the first floor at the corner of Main St and Day St. and the second is, a small 7 unit townhouse development at 18 Blossom St. The third proposed project, in the expanded HD Zone, ~~would be the largest and in the expanded area. This project proposes~~ converting three former mill buildings into 70# units of market rate housing, with commercial included, and is interested in the HDIP Program. ~~Program.~~ is one proposed market rate housing project located in the Downtown Market Rate Housing Incentive Zone. This project, being developed by Concord Square Planning & Development, Inc., and The Richmond Company in the HD Zone will create 50 units of mixed-use on a parcel at the North and Main Street. Other potential development projects are located in underutilized historic buildings in the downtown, will provide important housing alternatives in the downtown, and will help move forward the revitalization efforts currently underway. There are other locations in the Downtown Market Rate Housing Incentive Zone which have also generated development interest. One is the historic B.F. Brown Middle School Building, which is currently vacant. The Downtown is also designated a 40R Smart Growth Overlay District subzone.

Formatted: Not Highlight

HOUSING DEVELOPMENT ZONE - SECTION 66.04(1)
Downtown Market Rate Housing Incentive Zone

The City of Fitchburg has designated the existing Downtown Urban Revitalization and ~~Development Zone, also known as the Urban Renewal Area~~ and Student Housing Overlay District (adding one parcel) as its original Housing Development Zone, called Zone, called the *Downtown Market Rate Housing Incentive Zone*. The proposed amendment to the zone would add an adjacent area north encompassing a portion of upper Main Street, Broad Street and River Street. ~~The City's proposed Housing Development Zone would be named the *Downtown Market Rate Housing Incentive Zone* and will follow the boundaries of the existing Downtown Student Housing Overlay District, with the addition of the B.F. Brown School parcel. The Downtown Urban Revitalization and Development Zone was created in 2001 and focused on significant blight removal around North Street. As much of that work is done, the plan is now under review with potential amendments to reflect the current conditions and needs of the area. The Downtown~~

Student Housing Overlay District was adopted by the City's zoning ordinance in 2010 to encourage the mixed use of buildings in the downtown area. The district was established to enhance vitality in the downtown by fostering a mix of uses through increasing downtown housing opportunities and fostering development and activities by taking advantage of the demand for safe, quality off-campus housing generated by Fitchburg State University Students as well as demand for quality, modern units that will attract tenants to the downtown. The overlay district permits a mixed-use development pattern similar to that of North Street within the proposed HD Zone. Besides encouraging a mixture of uses, the Downtown Student Housing Overlay District also reduces the required parking standards in the downtown area. [The City's Smart Growth Zone was recently expanded within the last year to encompass a portion of downtown and the BF Brown School buildings, also intended to encourage development through reduced parking requirements and allowances for increased density. It has allowed for the creation of up to 1000 new units of housing by-right in the downtown.](#) The HD Zone district encourages greater pedestrian activity as a part of entertainment and residential uses mixed with traditional retail and business activities, and fosters economic revitalization. Since these goals are in alignment with the goals of the Housing Development Incentive Program, the City has chosen to ~~use~~ [create the HDIP Zone over the footprint of the Student Housing Overlay District, and parts of the smart growth and Urban Renewal Area. the existing Downtown Student Housing Overlay District footprint for the HDIP Zone. The only difference between the existing Downtown Student Housing Overlay District and the HD Zone is that the map has been changed to add the B.F. Brown School property, a historic former school building that has been vacant for some time. The former school property is adjacent to the border of the existing Downtown Arts Overlay District. The addition of this parcel to the HD Zone would allow the City to have an additional incentive for prospective developers.](#)

A *Market Study for Downtown Apartments* was prepared by Concord Square Planning & Development, Inc., and The Richmond Company and in early 2013 a multidisciplinary team from Harvard Graduate School of Design, Harvard Law School, and Harvard Business School was tasked with creating a redevelopment plan for Fitchburg's downtown central business district, *the 2013 Downtown Fitchburg Strategic Plan*. This market study contains independent and verifiable data that demonstrates the demand for multi-unit Market Rate Residential Units in the HD Zone by looking at the foundations for a three-pronged redevelopment strategy: access to natural beauty and recreation opportunities, proximity to a growing institution of higher education, and potential housing options within steps of the MBTA commuter rail system. The comprehensive study of the HD Zone looked at housing factors in the downtown census tract [ctek](#), which the HD Zone falls within, and compared those factors citywide and statewide. The study states "Due to the effects of the subprime mortgage crisis, many prospective buyers of condominiums and homes have not been able to qualify for a mortgage or have had their homes foreclosed on. Therefore they are returning to the rental market. All of these factors are adding additional pressure to the rental market". In the HDIP Zone, the majority of housing units 53 percent were renter occupied, higher than in the rest of the City 45 percent. The vacancy rate for renters in this area was 7 percent, which was average for the comparison areas. Also 53 units of rental housing were lost in the downtown in 2011. The study saw the discrepancy in the vacancy rate for the downtown and the projected loss of units in the downtown resulting in an "opportunity for increased demand of rental housing and the need for additional housing units" in this area. Another important factor that the study found was that the majority of households in downtown Fitchburg are one person households and over 75 percent are one and two person households.

The study concludes that "the low household size in comparison with the surrounding geographies may indicate a preference for downtown housing by young professionals, empty nesters and no family households." While the increase in median family income for the downtown area presently showed a smaller growth rate than the comparison areas, this may be due to lower population in the zone and the fact that the population in the zone is comprised of smaller households. The study states "new quality market rate housing in the downtown coupled with the revitalization and cultural efforts in the downtown should draw higher income households into the downtown." The market has been on an upward trajectory since the advent of those studies and, as evidenced by the Yarn Lofts project, it appears there is ample demand for market-rate housing, but that supply-side incentives are needed to keep pace with that demand.

The ~~proposed~~ Housing Development Zone is appropriately located to support the objectives of the Housing Development Zone Plan. Using the pre-existing ~~Downtown Student Housing Overlay District~~ that seek similar goals, allows the City to demonstrate that City incentives to develop mixed use properties in this district have already resulted in new housing units, new businesses that cater to these new residents and provide employment opportunities, and have promoted the stabilization of the neighborhood. The purpose of this Downtown Overlay District, adopted by the City in 2010, is to enhance vitality in downtown by fostering a mix of uses through increasing downtown housing opportunities and fostering development and activities based on the demand of university students, younger professionals and taking advantage of the improvements made to the Fitchburg to Boston commuter rail line. The expansion of this district will take advantage of an area with parcels that offer further growth potential and have seen recent development. This ~~expanded~~ district further strengthens the ~~created a~~ core of arts, cultural, and residential activities; encouraged greater pedestrian activity as part of entertainment and residential uses, mixed with traditional retail and business activities; encouraged economic revitalization. The zoning within the existing Downtown Student Housing Overlay District prohibits selected businesses, including car washes, nursing homes, and restaurants with drive-ins or drive-throughs. Since its adoption by the City, the Downtown Student Housing Overlay District has permitted 200 units of private student-centric market rate housing in the same zone that the HDIP program proposes to use. These 200 units are restricted to students only and are not available to non-student residents or prospective renters.

There is sufficient likelihood that market rate housing units will be developed in the HDIP Zone., ~~Concord Square Planning & Development, Inc.~~ K. William Kirkorian has a planned 112-unit development permitted at the corner of Main and Day Streets and the owners of the Iver Johnson Mills are interested in developing 70 units in the proposed expanded zone at 87-91 River Street, and The Richmond Company, through Cutler Associates plan to develop 50 units at the corner of North and Main Streets. ~~In addition, there are multiple sites within the HDIP zone and proposed expansion that would be attractive to developers as market rate housing, including many Main buildings with upper story vacant space, the former Johnsonia Building lot at 520 Main St., the former Santander Bank building at 280 Main St. five stories of vacant space well suited to housing conversion, and the former Valley West Plaza, 2.5 acres of primarily vacant land as the former plaza was demolished after a fire.~~ two sites included in Fitchburg's amended zoning ordinance which provides for housing development in the upper floors of buildings in the Downtown and located in the HDIP Zone that will also become HDIP applicants to convert into

Formatted: Not Highlight

~~housing: 533 Main Street, a vacant former YMCA building and 491-499 Main Street building. Both buildings have vacant floors above the commercial location that could be developed as housing. Another viable location for market rate housing is the site of the former B.F. Brown School, a historic building located in the Housing Development Zone, which has seen recent interest by several developers.~~

MAPS - SECTION 66.04(1) (c)

Map 1 – Boundaries of HD Zone with Existing Property lines and Footprints.

Map 2 – Locus of HD Zone within Municipality.

Map 3 – Existing use of Parcels within the HD Zone.

Map 4 – Existing Zoning of Parcels within the HD Zone.

HOUSING DEVELOPMENT ZONE PLAN – SECTION 66.04(2)*Objectives of the HD Zone Plan – Section 66.04(2)(a)*

The objectives of the Housing Development Zone Plan are to increase residential growth, expand the diversity of housing stock, support economic development, and promote neighborhood stabilization. Fitchburg is in the process of revitalizing the downtown through infrastructure improvements, transportation improvements, ~~expansion and expansion~~ of [Fitchburg State University's campus footprint](#), university-centric housing and commercial opportunities. The transformation of the downtown is spurring a new look at development opportunities in a number of downtown buildings, including a ~~FSU's reuse of a downtown theater renovation project, their i~~[Idea-Lab gaming design space above its space](#) and mixed use housing/retail. There has been an increase in the variety of restaurants and entertainment venues. The Student Housing Overlay District ~~and Smart Growth districts~~, and the zoning change that allows for residential in the upper-floors by right has led the impetus for increased development. Developers and property owners are attracted by affordable land and acquisition values and are seeking to apply all applicable incentives and funding sources to continue undertaking costly rehabilitation projects in historic buildings. On average, Fitchburg housing costs are [significantly lower](#) per year than the average housing costs across Boston/Cambridge and commuter cities such as Newburyport, Providence, and Worcester. Transportation costs are in line with peer commuter cities. After paying for housing and transportation, Fitchburg residents have over half of their income available for other needs and discretionary purchases. The formation of the HDIP zone will encourage residential development in the upper-floors which will increase the population of the downtown, provide a population with the discretionary income to support further economic development in the area. Interestingly, this strategy was first identified in the late 1990's as part of the City's Vision 20-20 Master Plan, which led to the zoning changes necessary to encourage such growth.

In the past ten years there has been some investment in the downtown from public and private development, but for the most part the downtown has suffered a lack of population to support retail and commercial development. The *Fitchburg Downtown Urban Revitalization and Development Plan* created in 2002~~0~~ by the Fitchburg Redevelopment Authority and the City's Department of Community Development called for the elimination of blight and building deterioration and an increase in the role of housing as a key component in downtown revitalization. The City has undertaken development to include a new Central Fire Headquarters, Fitchburg State University Gymnasium and Recreation Center, the Intermodal MBTA Train Station. Fitchburg State University has undertaken redevelopment to position the University toward the downtown

corridor, including a redesign of their main library student center to include a new front entrance that is positioned facing the downtown [and the acquisition and rehabilitation of the Fitchburg Theater Block at 689-705 Main St.](#) The City administration and the Redevelopment Authority have indicated that more direct efforts and assistance by the public sector are necessary to spur further redevelopment and private investment.

The City has seen some recent housing development in the vicinity of the downtown. The two most recent housing developments are both private dormitory housing independently owned and managed for students. The first project to take advantage of the city's new Student Housing Overlay District was Dillon Hall completed in 2012. Developers undertook a major gut rehabilitation of the old 1870 Dillon Elementary School. The interior was gutted and was divided into apartments of two and four bedrooms, with one large five-person apartment, for a total of 45 bedrooms. The historic Simonds Hall located at 54 North Street is the second private dormitory to be constructed within the Student Housing Overlay District. The building stood vacant for ten years until construction started in 2011. Simonds Hall, rented to students only, has 153 beds in 35 loft-style suite arrangements that contain kitchens and community living room spaces. The building is within walking distance of Fitchburg State University, the commuter rail line and downtown businesses. In 2008, TD Banknorth and the Twin Cities Community Development Corporation ([now known as NewVue Communities](#)) conducted a rehabilitation of a historic five story building located at 470 Main Street. [NewVue](#) manages thirty-one units on the upper four floors. Eight of the units are affordable and rented to families making under 80 percent of the Area Median Income and the remainder twenty-three units are market rate. The most recent housing project completed in the downtown is Fitchburg Place Apartments, an elderly living complex of 96 units that finished construction and began marketing in late 2012. This \$19.1 million rehabilitation of a formerly blighted and vacant building will offer residents fully appointed one bedroom apartment homes amenities including a resident lounge, laundry care center, fitness center, computer learning space, and library. Fitchburg Place is limited to residents 62 years or older and is 100% subsidized affordable housing. Monthly rent is based upon 30 percent of gross income. Maximum allowable income is \$36,240 for one person, \$41,400 for two persons.

The success of the above projects was due to the collaborative efforts of many entities such as, the Commonwealth's Department of Housing and Community Development, [The Twin Cities Community Development Corporation](#), [NewVue Communities](#), the private developers, and the Fitchburg Division of Housing. The creation of the Housing Development Zone and Plan will create the incentives to attract additional development into the downtown and assist the City in addressing the need for market rate housing units. The City will use the HD Zone to encourage developers to rehabilitate the upper-floors of buildings in the downtown for housing. The creation of newly rehabilitated market rate units with modern amenities will attract a mix of new and existing residents looking for housing closer to commercial and cultural opportunities as well as with easy access to regional public transportation. The ~~amendment~~^{creation} of the HD Zone's market rate units will encourage a mix of development within the zone and foster greater quality of living, diversity, promotion of stability in the downtown and economic development and new growth to expand the City's tax base.

[There is sufficient likelihood that market rate housing units will be developed in the HDIP Zone. K. William Kirkorian has a planned 112-unit development permitted at the corner of Main and](#)

~~Day Streets and the owners of the Iver Johnson Mills are interested in developing 70 units in the proposed expanded zone at 87-91 River Street. In addition, there are multiple sites within the HDIP zone and proposed expansion that would be attractive to developers as market rate housing, including many Main buildings with upper story vacant space, the former Johnsonia Building lot at 520 Main St., the former Santander Bank building at 280 Main St, five stories of vacant space well suited to housing conversion, and the former Valley West Plaza, 2.5 acres of primarily vacant land as the former plaza was demolished after a fire. There is sufficient likelihood that market rate housing units will be developed in the HDIP Zone., Concord Square Planning & Development, Inc, and The Richmond Company plan to develop Fitchburg Commons, 50 units of market rate housing at the corner of North and Main Streets. It is anticipated that specific objectives for each of the goals described above will include the promotion of upper story housing development in downtown buildings; the rehabilitation of historic buildings; and the generation of new tax revenue. For instance, it is estimated that the Housing Development Incentive Program will produce 50 new market rate housing units within the first two years and an additional new 50 market rate housing units during the twenty year duration of the program as well as provide the incentives for owners of existing market rate units to rehabilitate the properties and sustain existing market rate units.~~

Formatted: Not Highlight

Public and Private Construction and Related Activities-

The City's *Vision 2020 Master Plan* and the *2000 Fitchburg Downtown and Urban Renewal and Development Plan* both concluded that the successful revitalization of the downtown was at least partially dependent on more direct public sector investments and incentives to create viable private investment opportunities. Specifically, direct intervention in the downtown through the use of eminent domain for the construction of public improvements and to assist private economic development, and adoption of economic incentives for private investment throughout the downtown area. The *2000 Fitchburg Downtown and Urban Renewal and Development Plan* also indicated that the downtown would benefit from public infrastructure improvements for traffic and public safety. In undertaking the recommendations indicated in the plans the City has applied for infrastructure funding through the MassWorks Public Infrastructure grant program to make much needed improvements to Main Street ~~and was recently awarded over three Million Dollars for towards this effort~~, committed federal Community Development Block Grant funds to expand an existing historic district into two distinct historic districts at either end of the downtown, enacted a student housing overlay district, ~~expanded our 40R Smart Growth District, and~~ enacted zoning changes that allow "by right" construction or conversion of housing on the upper floors of buildings in the downtown ~~and are working to amend and update our Urban Renewal Plan~~.

The development of a comprehensive downtown streetscape program ~~has been completed~~ ~~is underway~~ and ~~is cuminating in the recent Massworks award to convert Main Street and Boulder drive each from two lanes in one direction to two lane, one each each direction.~~ This will be a fundamental change to the image and perception of the downtown as business, commuter, resident, and pedestrian friendly. The ~~proposed~~ MassWorks project will ~~be implemented in 2020.~~ ~~implement the first of three phases of a comprehensive master plan for Fitchburg's downtown (see~~

~~attached Streetscape design~~ which will along with recent past grants, replace aging infrastructure, support redevelopment of vacant and underutilized properties for mixed uses, promote pedestrian and vehicular safety, improve lighting and signage elements, expand recreational opportunities and create public spaces for programming future downtown events.

Specifically, the project will feature the following amenities:

- ~~New sidewalks, street paving and street furniture~~ Significant change to vehicle direction, slowing traffic overall
- New pedestrian level lighting, safety measures, and crosswalk signalization~~including up-lighting of historic properties~~
- New visitor-friendly signage for both directional and event information
- New and enhanced public spaces for programmed events,
- New bike lanes and accessibility improvements at cross walks.
- New traffic and pedestrian safety measures to address dangerous crossings.

This project is consistent with smart growth and complete street standards in virtually all respects, as it encourages mixed use development of a densely populated downtown district with the following features;

- Located within ¼ mile radius of the City's intermodal transportation facility.
- Designed to attract commuters and spur additional housing development (*HDIP*).
- Existing water and sewer infrastructure will support planned developments
- Located within 1 existing and 2 planned historic districts
- Housing density of 10.95 units per acre.
- Adjacent to the Fitchburg terminus of the 4.5 Fitchburg/Leominster Twin City Rail Trail, with construction beginning in 2020.

The project will leverage several mixed used investments including ~~the development to be undertaken by Concord Square Planning and Development along North Street and Main Street, upcoming development at the Fitchburg Theater Block, City Hall Renovation, BF Brown/Fitchburg Arts Community and the Moran Square housing project.~~ Additionally, Triton Properties will expand three existing businesses and add one new business at its facility on 320-344 Main St. to create seven new permanent full-time positions. In addition to its consistency with existing zoning and the Montachusett Regional Transportation Plan of 2012, the project is consistent with several long-standing local plans including the City's Master Plan (Vision 2020), its Downtown Revitalization and Development Plan, and its 5 Year Consolidated Plan. In addition, the City has made the following supportive investments:

- \$650,000 and \$250,000 respectively in HOME funding to support ~~recently completed~~ a mixed use development on 470 Main Street and an elderly housing development on 16 Prichard Street, producing a total of 127 new housing units, including 23 market rate units, as consistent with the City's Consolidated Plan Housing Strategy and Master Plans. The total development public and private for those two housing projects was in excess of \$30 million dollars. The City has recently committed \$250,000 and \$300,000 to the upcoming

Moran Square and Fitchburg Arts Community projects, respectively, both mixed-income and mixed-use projects.

- 9 CDBG funded incentive grants for downtown sign and façade projects totaling nearly \$200,000.
- CDBG funded Small business assistance to several existing and prospective businesses, including a restaurant and small business startup on Main Street.
- CDBG and State Funding for the downtown Riverfront Park to provide terraced riverfront access to the Nashua River and an attractive passive recreational amenity for residents in the heart of downtown.
- Ongoing downtown event programming, including first Thursdays, Farmer’s market, the Nashua River Brewer’s Festival, the Downtown Block Party and Civic Days, among others.
- CDBG funding to fund 50% of a full time Downtown Coordinator.
- Leadership role in the Fitchburg TDI partnership, which is working towards a vision to transform the HD District into a regional hub for arts and culture.

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Left, Indent: Left: 0.5", Space After: 8 pt, Line spacing: Multiple 1.08 li, No bullets or numbering, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Left, Indent: Left: 0.5", Space After: 8 pt, Line spacing: Multiple 1.08 li, No bullets or numbering, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers

The City’s focus on promoting adaptive reuse, mixed use, and historic rehabilitation of older former industrial buildings in the downtown has increased the tax base and new growth calculations. The city experienced an over 10 percent increase in new growth in fiscal 2019 over the last fiscal year, according to City Assessor. The bulk of the new growth revenue increase came from the residential sector, largely thanks to two private student housing developments, *Simonds Hall* on North Street and *Dillon Hall* on Day Street, as well as the redevelopment of *Fitchburg Place Apartments* on Prichard Street. These properties represent two formerly abandoned mill buildings and one formerly tax-exempt elementary school building that were newly added to the city’s tax rolls thanks to development by private industry. Since that time, the City has added an additional 282 units of mixed income housing in two mill conversion projects in the River Street area. One, at 245 River Street and the second at 1428 Main Street, directly behind River Street.

City Officials expect that improvements similar to those described above will continue with the adoption of the HD Zone and HD Zone Plan as developers take advantage of the tax incentives offered by the Commonwealth’s Housing Development Incentive program. As described previously, Several developers currently have plans to develop market-rate housing in the current and expanded HDIP Zone and are interested in taking advantage of the program. Concord Square Planning & Development, Inc. has proposed to rehabilitate two buildings within the HD Zone to create 50 units of market rate housing units at an estimated cost of over \$18 million. Additionally, the City ~~will pursue~~has successfully pursued additional funding to continue its plans to enhance the downtown through attractive and functional streetscape improvements in the HD Zone. Also mentioned previously, the City has received interest regarding other possible HDIP housing projects located within the HD Zone. ~~These other projects include, the B.F. Brown School~~

~~building, a historic former YMCA building located at 533 Main Street and a series of former office space buildings that could be developed into mixed use housing and retail.~~

Information about Developer – Section 66.04(2)(b)

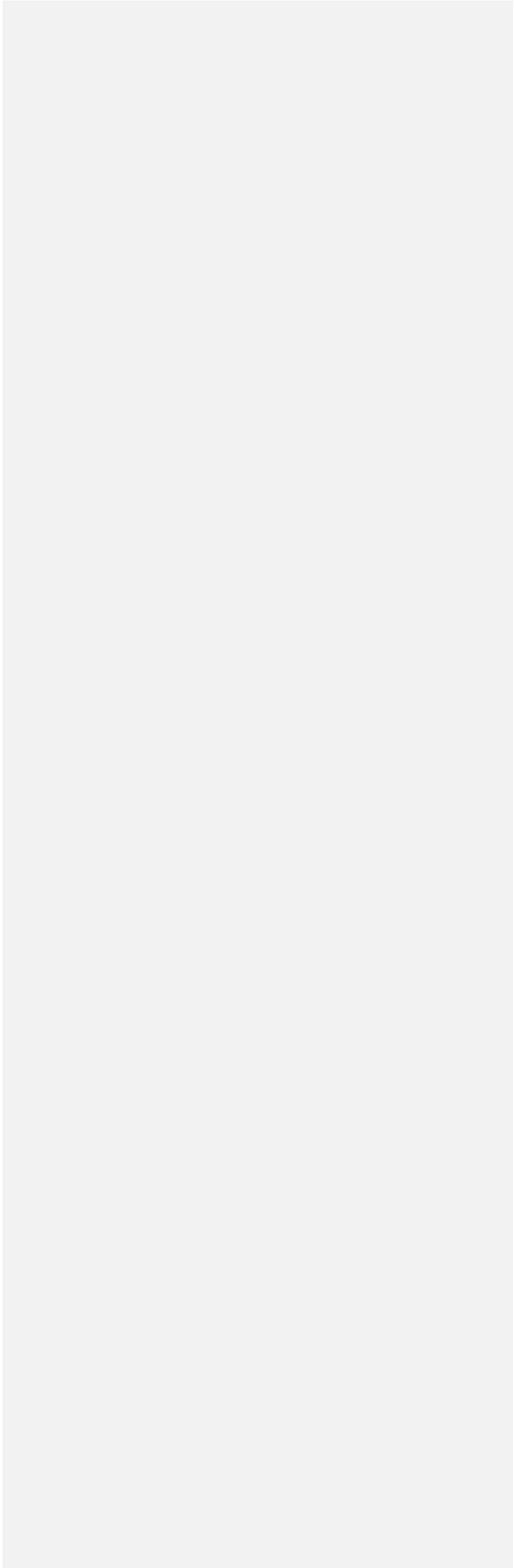
The first ~~co~~-sponsor of the subject property is ~~Philip F. Pastan, K. William Kirkorian, President and Principal of The Richmond Company, Inc. (www.richmondco.com) local~~ private developer. ~~Mr. Kirkorian is a seasoned real estate developer located in Fitchburg. Mr. Kirkorian developed the plan for the currently permitted Moran Square Development Project at 10 Main Street prior to selling a controlling interest of the project to Reese-Larkin Development. Not only is he working on the market-rate project at the corner of Main Street, he is also under negotiations to acquire a parcel on North/Snow Streets (also within the HD District) with the intention of developing a second similar mixed use market rate project on that site.~~

~~Pastan is a seasoned real estate professional and investor with expertise in all aspects of the real estate development and investment process. His real estate experience spans twenty plus years as a principal involved in the acquisition, development, leasing and management of numerous real estate projects throughout the northeast. The Richmond Company has developed more than two million square feet of retail space and over twenty five residential developments. Geographically, the company focuses its development activities in the northeastern United States, from New Jersey~~

The second ~~Developer~~ with interest in the HDIP program is the IVJ Group LLC, the owners of the Iver Johnson Mills. These three properties are owned by the Mazzafarro family and has been in the family for many years, ~~yet control of the property has now passed to the younger generation, Aldo Mazzafarro Jr. and partner Rich Darche. These developers have already received a historic tax credit award and would like to utilize HDIP credits for mixed use/market rate housing project on the site of the three mill buildings.~~ ~~co~~-sponsor of the subject property is Ted Carman, President and Principal of Concord Square Planning & Development, Inc. (www.concordsqdev.com). ~~Mr. Carman is a seasoned real estate professional and investor with expertise in the development and management of rental housing. His real estate experience spans thirty plus years as a principal involved in the acquisition, development, leasing and management of apartment properties throughout New England. During his career Mr. Carman as principal has developed more than 1,250 residential units across numerous projects located throughout New England. In addition to his development activities Mr. Carman has an active consulting practice focused on land planning, design and housing issues. Though these activities he played a key role in the creation on Massachusetts' "40 R" and "40 S" smart growth zoning legislation, which is today instrumental in providing impetus behind many projects providing much needed housing in communities throughout Massachusetts.~~

Maps– Section 66.04(2)(c)

Map 5 – Proposed and Existing Housing Development within the HD Zone



HD Projects – Section 66.04(2)(e)

~~The proposed development, *Fitchburg Commons* that is being submitted to you for Preliminary Certification by its developers, Concord Square Planning & Development, Inc., and The Richmond Company consists of approximately 50,000 square feet in four floors. The first floor will be a national retail outlet; the second through fourth floors will consist of 50 market rate apartments. There will be studios, one bedroom, two bedroom, and three bedroom units. Sufficient parking for the commercial activities will be provided around the retail building. This project is eligible to receive a Preliminary Certification pursuant to 760 CMR 66.05(2).~~

Commented [A1]: Will add Iver Mills project if appropriate

Market Rate Residential Units – Section 66.04(2)(f)

According to the Citywide ACS Bureau of the Census, the median household income for the City of Fitchburg, which for the purposes of this plan, represents the Housing Development Pricing Area (“HDIP Pricing Area”), is \$48,064 per year. For the purposes of this plan, \$48,064 is also the HDIP Area Household Median Income (HDIP AMI). 110 percent of \$48,064 is \$52,870 which is the Target Median Household Income. The HUD Fitchburg area 60 percent income limit for a three-person household is \$44,280. This satisfies the M.G.L. Chapter 40v HDIP Implementation Guidelines which states that 110 percent of the median household income for the HDIP Pricing Area must be greater than 60 percent of the median household, as determined by HUD.

Census Tract 7105, where the subject property is located, has a median income of \$36,009. Therefore, it can be concluded that the Target Median Household Income of \$52,870 is at a level that will allow the HD Plan Zone to increase residential growth, expand diversity in housing stock, support economic development and promote neighborhood stabilization by attracting wealthier households from surrounding areas and communities into the Fitchburg downtown. The first project to facilitate high-quality, convenient and modern rental housing will be the 50 Units undertaken by Concord Square Planning & Development, Inc., and The Richmond Company at the parcels on North and Main Streets.

The Harvard report indicates that on average, Fitchburg housing costs are nearly 6 percent lower, or \$4,000 less, per year than the average housing costs across Boston/Cambridge and commuter cities such as Newburyport, Providence, and Worcester. Transportation costs are in line with peer commuter cities. Fitchburg residents surveyed paid approximately 44.8 percent in housing and transportation as opposed to 49.6 percent in the comparison cities. In the HDIP HD Zone Target Pricing Area the goal of residents housing equaling approximately 30 percent of their income in a target income bracket of \$52,870 would mean projected rents of \$1,321.75. Two bedroom units in the 470 Main Street building currently rent for \$1,129; so the gradual escalation in market rate rents in the HD Zone will not be too great a burden to reduce the incentives of the program in creating quality market rate housing.

Timeline and Duration – Section 66.04(2)(g)

The City of Fitchburg ~~s anticipates that its~~ HD Zone and HD Zone Plan ~~will be have been~~ approved by the Commonwealth’s Department of Housing and Community Development (DHCD) ~~sometime during July 2013~~. The proposed Housing Development Zone Plan shall last for twenty years from the date of DHCD’s approval of Fitchburg’s Housing Development Zone Plan. ~~There is one project currently proposed within the HD Zone Plan that will be shovel ready by July 2013 and will immediately apply for Tax Increment Exemptions. It is estimated that this project by Concord Square Planning & Development, Inc., and The Richmond Company will be started in late 2013 and completed by August 2014.~~

~~The B.F. Brown parcel is a former middle school building that is located in the HDIP Zone. The building ceased operating a school in 2008 and the building has been vacant since that time. The HDIP program would be a valuable tool for the City as it tries to save the historic building. This will be a project the City promotes in the longer planning goals of the HDIP Zone in addition to the four buildings in the downtown that have the highest potential for housing units in the upper floors. These projects would be anticipated to be underway in subsequent years of the HD Zone Plan.~~

Compliance with Fair Housing Obligations – Section 66.04(2)(h)

The City of Fitchburg will advance its affirmative fair housing obligations by the creation of the Housing Development Zone. The City's 2011 Analysis of Impediments to Fair Housing (AI) was prepared by the City's Department of Community and Economic Development. The analysis is an examination of housing related policies and practices in use in Fitchburg that advertently or inadvertently prevent people from living where they choose.

The 2011 Analysis of Impediments found that Fitchburg has inclusive housing policies, reflecting the relatively high percentage of subsidized housing to be found. One major barrier or impediment to housing choice is connected to the age of the housing infrastructure. City officials estimate that nearly 25 percent of the Consortium's older rental housing stock which is principally occupied by low income or very low income households remains contaminated with lead paint. This estimate is down from the 30 percent cited in the 1990 Five-Year Plan. In addition, it is estimated that approximately 20 percent of older single family homes owned by lower income persons are also at risk of containing lead. Based on the 2000 Census, 72.5 percent of the housing stock in Fitchburg was built prior to 1960.

Fitchburg has made significant progress in reducing childhood lead poisoning and is no longer on the Department of Public Health's list of High Risk Communities for Childhood Lead Poisoning, despite the prevalence of older, lead contaminated housing stock in its older neighborhoods. At the time of the City's last Consolidated Plan, Fitchburg ranked sixth on that list. The HDIP Zone will assist in reducing those barrier by the substantial rehabilitation of older buildings for housing brining these buildings up to the latest health, sanitary, and building codes.

Additionally, Fitchburg has historically permitted extensive development of subsidized and special needs housing not only for its own residents, but those of the area as well. As a result, a disproportionately high percentage of such housing now exists within Fitchburg, which will not certify consistency with its Plan for activities which would serve to further relocate and segregate these populations in the City. The creation of market rate housing options in the HDIP Zone will assist in the City's strategy of increasing the blend of incomes and diversity of the housing stock. The City has very little ability to offer incentives to developers who wish to create market rate housing units in the downtown. Without the HDIP program incentives the City and developers are forced to rely on historic tax credits as the primary subsidy vehicle to incentivize redevelopment

in aged buildings. The HDIP program and HD Zone will be a helpful tool in advancing the fair housing goals of the City of Fitchburg.

Compliance with Local Plans – Section 66.04(2)(i)

A creation of a Housing Development Zone and participation in the Commonwealth's Housing Development Incentive Program conforms to recent City planning efforts. Fitchburg has historically permitted extensive development of subsidized and special needs housing not only for its own residents, but those of the area as well. Fitchburg is currently ~~redrafting~~ updating its Urban Renewal Plan a strategic vision to guide its downtown development plan, is working with a consultant to undertake a comprehensive review and update of its current zoning ordinances and recently ~~and recently completed an Economic Development Strategic Plan~~ Plan. Several large buildings on Main Street and in the Academy district remain vacant while other buildings have substantial amounts of empty space, particularly in the upper floors, or host minimally productive uses. Attracting development and new energy to the downtown area is therefore one of Fitchburg's most important objectives.

As a result, the City has identified the need to expand market rate housing options as the top priority along with improving the physical infrastructure of buildings available for housing, not just as a plan for housing production but also as an essential part of our economic development strategic plan, after all, in order to encourage and maintain downtown business, people with disposable income need to live in the area. The report created by Harvard University, *the Downtown Fitchburg 2013 Strategic Plan and Bulletin of Development* stated that the Great Recession and the destruction of the restored Johnsonia Hotel by fire in June 2011 significantly slowed the momentum Fitchburg had been gathering since 2008. However, the City remains dedicated to thoughtful implementation of downtown plans and initiatives through creative and relatively inexpensive methods such as: defining student housing overlay districts, identifying and establishing historic districts, implementing streetscape improvements and reconsidering patterns of traffic on Main Street.

The plan also stated, at present, downtown Fitchburg lacks alluring accommodations for skiers, leaf-peepers, hikers, cyclists and other visitors. Closing this market gap, along with complimentary development and programming to capture the attention of outdoor enthusiasts (e.g., an action sport training or equipment center, an outfitter, chartered hiking tours, etc.) could make downtown Fitchburg a staging area for nature lovers for the next generation. Situated along the ~~soon to be~~ now completed Wachusett commuter rail extension in the heart of Central Massachusetts, downtown Fitchburg is ripe for recreational tourism and outdoor exploration related development.

The Harvard Downtown Fitchburg 2013 Strategic Plan asserted that the city could attract more Fitchburg State University students into the downtown area by concentrating on multi-unit rental housing, destination retail (shops and restaurants) and venues for self-directed activity, such as cafes and bookstores. The City should also explore further collaboration with FSU toward providing dynamic classroom or lab space downtown, enhancing the connection between the University campus and the city center. For many students some of the cost savings enjoyed at FSU may release strain on other areas of their personal budgets. Spread across FSU's approximately 1,750 on-campus undergraduates, Fitchburg State's cost savings represent a hypothetical maximum of \$1.7M in latent purchasing power per annum. Converting even a fraction of that amount into realized spending could be instrumental in helping sustain Downtown businesses.

As a result of various development plans such as, *the Fitchburg Downtown Urban Revitalization and Development Plan* created in 2000, indicating the need to expand housing options and diversity in the downtown Fitchburg set into place a number of zoning changes to better facilitate conversion of mills into housing, encourage the construction of private dormitories, and the City enacted a M.G.L. 40r Smart Growth District. The Housing Development Incentive Program would assist the City in pursuing the strategies for housing indicated in the development plans.

More recently, the City has created an Economic Development Strategic Plan. This five-year plan, created in 2018, set eight goals to enhance the City's tax base and economic competitiveness. One of its eight core goals is to encourage the production of high-quality housing throughout the City. Two others focus on downtown development. Within each of these goal areas, there is a strongly-expressed need for more "Smart Growth" housing downtown. The extension of this HD district, along with the 40R Smart Growth extension created in 2019, are both important next steps towards achieving this vision.