

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, MARCH 12, 2019**

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

STAFF: Mike O’Hara, Tom Skwierawski

Call to Order

Meeting called to order at 6:02 p.m. in the Community Room, Fitchburg Fire Headquarters, 33 North St.

ANR PLANS

Donnelly. Main & Goddard Streets

A portion of two vacant parcels on Valley St. are proposed be spilt off & incorporated into the back yard of the adjoining parcel at 786 Albee St. The remainder of the lots on Valley St. are conforming RA-2 lots, but the developer will need to extend the road and utilities. This portion of street is within the 1950 City street layout, but the improved, travelled way stops short of these two lots.

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 & Sherri Fairbanks. Remainder of 65 acres to be Lot 3.

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

McNamara, 106 Mt. Vernon St.

Slight revision of plan endorsed at last month’s meeting. The new lot line splitting the 18,874 sq. ft. lot off from the 106 Mt. Vernon parcel now meets the setback requirement from an existing accessory structure, a fieldstone former ice house. Motion made & seconded to endorse the plan. Vote in favor.

MINOR SITE PLAN REVIEW

1425 Water St., Twin Cities Auto Sales

Prior to discussion on this item Ms. Caron stated that this should be advertised as a Major Site Plan Review & thus requires a public hearing & notice to abutters.

Applicant Trevor Burt is proposing conversion of 1425 Water St. (former psychic reader) into a sales office & display of used cars. He recently purchased three adjoining parcels: #1423 (2-family dwelling), #1425 (one-story sales office) & #1427 (dwelling & 1st floor storefront, both vacant). Ms. Caron raised several issues, including showing designated parking for the 2-family, showing display and employee space(s), an accessible location for handicap space, having parking meet the 3-foot setback from property lines, buildings & sidewalks, dumpster location, landscaping & signage.

PUBLIC HEARINGS

Joint Public Hearing - Public Shade Tree & Scenic Road Act - 883 Mt. Elam Rd., M. Donnelly

Hearing opened. Present were Mike Donnelly, 883 Mt. Elam Rd. & Gary Withington, Tree Warden. Mr. Donnelly is proposing to remove & replace approximately 113 feet of fieldstone wall on the westerly side of Mount Elam Road in front of property he owns at 883 Mt. Elam Rd. Also, two Pitch Pines will be removed and replaced with Serviceberry. Mr. Donnelly also requests permission to remove scrub growth to allow the rebuilding of a stone wall southerly to Fifth Mass. Turnpike, while leaving a break in the wall for access to the powerline easement.

No objection to the removal of the trees or modification to the stone wall was made at the hearing. The Fitchburg Tree Warden agreed with the removal of the trees.

Motion made & seconded to close hearing. Vote in favor.
Motion made & seconded to approve the proposed work. Vote 6-0 in favor.

Special Permit & Site Plan Review - Brennan, 768 Water St. - 2-family dwelling

Hearing opened. Owner/applicant Ian Brennan present. He acquired this parcel at a City auction of surplus properties in December 2018. Proposing to build a two-story 2-family dwelling (24' x 50'). 1st floor unit - 2-BR, 2nd floor unit - 3-BR. The Board reviewed site plan rev. 3/12/19 & his proposed floor plans & building elevations. Parcel is in the Central Business District, 5,924 sq. ft. It's a narrow 40' x 140' lot with a 5' setback on one side & 10' on the other, but only 4' to the edge of a passway shared by this lot and the abutting 5-family to the left. Board suggested providing additional landscaping in front of the building to improve the appearance of the area.

Public Comment:

Mr. Neira, owner of 772-774 Water St. owner (5-family to the right): When the 2-family was on the adjacent lot, it was a tight driveway, plows would rip up the pavement. His tenants had problems with the tenants of the fmr. 2-family. He had been interested in acquiring that lot through the Side Yard Sales program, but it was taken off the list and sold at auction.

John Morrison, owner of WEIM, 762 Water St. stated his concerns:

- New dwelling possibly interfering with signal to their satellite dish.
- Too many parking spaces to the rear on his initial plan, now # has been reduced to 4.
- Buildings will only be 14 feet apart.
- Does this meet common driveway standards & need a special permit?

Mr. Capodagli: Feels that a two-family on a lot of that size is not an improvement to the City. He feels that it is too small for a 2-family.

Board needs comments from several departments.

Motion made & seconded to continue hearing to next month's meeting. Vote in favor.

Q: Will there be any takings/easements from this parcel for the adjacent Twin City Rail Trail?

Staff will check. (Ans. – no.)

Special Permit & Site Plan Review - Rivarola, 37 Goodrich St., convert 2-family to 3-family dwelling

Ms. Caron corrected two items, the parcel is in the Residence B district, not CBD as noted in the application & zoning determination. Also, the applicant will still need to go the ZBA for a Special Permit since the structure is non-conforming.

Hearing opened. Present were Nicholas Rivarola, applicant and Mr. Bottarro, property owner. They propose to convert the unfinished attic space in an existing two-family on the corner of Goodrich & Harrison to a third apartment. No change in building footprint. The units would be 1st floor: 3-BR, 2nd floor: 2-BR, 3rd floor: 2-BR. There are two means of egress from all of the units. The lot has 4 existing parking spaces in the yard, off Harrison Ave. They would be paving the parking area, but keep 3 feet off the property line.

Public comment: None.

Board comments: Need to submit floor plan & show existing parking on site plan, show how stormwater off proposed paved area would be handled.

Q: With increasing from a 2- to a 3-family, will sprinklers be required? Mr. Rivarola: No, not according to Bldg. Dept. Comments are still needed from several departments.

Motion made & seconded to continue hearing to next month's meeting. Vote in favor.

Special Permit & Site Plan Review - T. Donnelly, proposed single-family infill lots, 41 & 47 Mt. Vernon St.

Hearing opened. Present were Tom Donnelly. Board reviewed plans and photographs of houses similar to the proposed ones. The applicant had received a Special Permit to construct single-family dwellings on three Mt. Vernon St. infill lots in 2005, but only one was built; the approvals for the other two have since lapsed. Board reviewed site & utility plans from 2005.

Public Comment:

Elizabeth Mazanec, 35 Mt. Vernon St. (abutter on right): She shares a retaining wall with abutting parcel. Wall is in good shape - she doesn't want it to be disturbed. There's a 10-foot drop off of the wall.

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

Motion made (Mr. Fontaine) & seconded (Mr. Hurley) to Approve Special Permit for the two proposed infill lots with conditions:

- Install decorative black fence in top of retaining wall.
- Maintain retaining wall.
- Make sure any drainage problems are addressed.

Vote 6-0 in favor (Ms. Koeck participating).

Proposed Zoning Amendment - Amending the Table of Principal Uses concerning Medical Offices and to further define different medical and medical office uses (continued from 2/19/19)

Atty. Pusateri present to discuss his 3/12/19 & 11/15/18 memos on options. He suggested breaking out "medical uses" as a separate category in the Use Table and require a Special Permit for them in CBD.

Issues: how to define medical office, does this make other medical/dental offices harder to get approved? Ms. Caron & Mr. Fontaine said they will work on definitions.

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

OTHER BUSINESS

239 Fisher Rd. Solar array - add battery backup (continued from 2/19/19)

Ben Downing of NexAmp submitted simulations of proposed Battery Energy Storage System (BESS) to be located in the middle of the array near the inverters. Battery capacity is 4MW hours. The unit will be on a 50' x 10' concrete pad. Eliminating a row of panels will result in a slight decrease in the MW produced. Mass. Solar Massachusetts Renewable Target (SMART) Program now requires the installation of batteries in order to be able to smooth out impact on the grid over time. Batteries can provide power to the grid during off-peak times. NexAmp does not have batteries in their other built projects

Motion made & seconded to Approve a Site Plan Approval modification to allow the battery backup. Vote in favor.

Seney, 59-69 Culley St. - conceptual plan(s)

Steve Seney in to discuss conceptual plans for triangular parcel he recently acquired adjoining his garage at 59 Culley St. Proposed use: auto repair or contractor's shop. Agreed that Proposal # 1 (an oblong +/- 30' x 40' building conforming to the shape of the parcel would be preferred. The existing wooden garage would be torn down. Board suggested that landscaping should be provided to define the separation between this parcel & the street. It was noted that if project had >10 parking spaces or >2,000 s.f. floor area, a major site plan review would be needed.

Review zoning amendment - Ch. 40R Smart Growth District - new "Fitchburg Arts Academy" district

Tom reviewed draft of the revised 40R section. Adding the Fitchburg Arts Academy (B.F Brown) project to the 40R district would make it easier to permit, since the site is in a residential district. Upon construction, the city could receive from the state \$3,000 per new dwelling unit constructed in the District. Motion made & seconded to initiate a Zoning Amendment petition to replace the existing Smart Growth section & amend the map to include the Fitchburg Arts Academy. Vote in favor.

Partial release - Deloge Hts. Subdivision, Phase III

The approval for this phase of the project (completing the loop of Tibbett Circle) included a Subdivision covenant which had never been released. All lots have been built on, the street has been accepted as a Public Way. Motion made & seconded to authorize the Chair to sign the release. Vote in favor.

Petition Colburn St.

Resident's petition to accept Colburn St. (off South St. opposite South St. Elementary) as a public way had been referred to the Board. Motion made & seconded to recommend against the petition for the same reasons DPW-Engineering is recommending against it: Doesn't comply w/ Ch. 157 of City Code, no plan & profile supplied or on record, since street constructed many years ago, DPW cannot confirm that it was properly constructed, no street bounds, no legal description supplied or on file, street layout is privately owned and would have to be donated to, or "taken" by, the City. Vote in favor.

Communications

2-15-19 letter from Monty Tech Supt. informing the Planning Board that the Monty Tech School Committee had not made a determination regarding the NSW grow facility @ 140 Industrial Rd. but that the Committee has voted to oppose any retail facility there.

Meeting Minutes

Minutes of January 24th (CDBG) and February 19th meeting approved w/ corrections.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 10:25 p.m.

Next meeting: April 9, 2019

Minutes approved: April 9, 2019