

Sep 21 2023 3:21 pm

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, JANUARY 24, 2023**

NOTE: This was a hybrid meeting via FATV.

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

MEMBERS PRESENT: Paula Caron, Chair, Paul Fontaine, Jr., Vice-Chair
Alyne Butland (remotely) Peter Capodagli
Alex Lopez (remotely) Tracey McGrath
Amanda Koeck (remotely)

STAFF: Liz Murphy, Mike O’Hara

CALL TO ORDER

Meeting called to order at 6:05 p.m. in the Legislative Building, 700 Main St.

INTRO

Ms. Caron read an introductory statement regarding meeting hearing procedures & suggestions on remote participation.

Board Reorganization

Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to nominate Ms. Caron to serve as Planning Board Chair for the upcoming year.

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

Motion made (Ms. Caron) & seconded (Mr. Lopez) to nominate Mr. Fontaine to serve as Planning Board Vice-Chair for the upcoming year.

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

ANR PLANSClearwater Real Estate, 485 Clarendon St.

A 0.45 ac. parcel at 485 Clarendon St. and an abutting 0.9 ac. parcel in common ownership designated as “0 Electric Ave.” are proposed to be re-subdivided into (1) a conforming 14,458 sq. ft. lot around the existing dwelling, and (2) a 48,522 sq. ft. “Rear Lot” with 40 ft. frontage on Clarendon St.

The proposed Rear Lot has the required circle w/ 100 ft. diameter, and it meets the Lot Shape factor in Section 181.4125.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to endorse the plan.

Roll call vote: Butland: Yes. Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Koeck: Yes. McGrath: Yes. Caron: Yes. Vote 7-0 in favor. The four members physically present signed the plan.

Emanuel Lutheran Church, 1200 John Fitch Hwy.485 Clarendon St.

The church proposes to split the 4.026 ac. church parcel on John Fitch Hwy. into three parcels:

(1) a 2.5 ac. Lot 1 surrounding the existing church & parking lot, (2) a proposed 30,078 sq. ft. Lot 2 at the corner of John Fitch & Will Thompson Way, and (3) a 35,637 sq. ft. Lot 3.

Lots 2 & 3 are conforming lots in the Rural Residential zoning district and meet the Lot Shape factor.

A Notice of Intent for a proposed dwelling on Lot 2 is currently pending before the Conservation Commission.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to endorse the plan.

Roll call vote: Butland: Yes. Lopez: Yes. Capodagli: Yes. Fontaine: Yes. Koeck: Yes. O’Kane: Yes. Caron: Yes. Vote 7-0 in favor. The four members physically present signed the plan.

GFI Partners, LLC, 0 Airport Rd. & 20 Crawford St.

An 18,442 sq. ft. portion of the 20 Crawford St. parcel (Wass-Arthur Sign) is proposed to be split off and combined with the abutting 19.9 ac. 0 Airport Rd. parcel owned by the Fitchburg Redevelopment Authority. The FRA will be selling that parcel to GFI Partners for the development of a 366,000 sq. ft. Warehouse/Distribution facility.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to endorse the plan.

Roll call vote:

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

Vote 7-0 in favor. The four members physically present signed the plan.

MINOR SITE PLAN

Minor Site Plan - Santiago, parking plan for auto sales, 19 Dwight St.

Present: Raul Lopez, owner. The site is an existing auto repair facility with >55 parking spaces.

Sketch site plan titled "Parking Capacity Plan" reviewed. An area of 5 spaces reserved for the display of cars for sale for "A & R Automotive Group" is noted on the plan.

Aerial photo of the area reviewed. Applicant will be going to City Council for Class II Auto Sales license, but first they need to show that they have site plan approval.

Board comment:

The aerial photo and a site inspection shows that there are many more vehicles than the spaces noted on the previously approved site plan for the auto repair facility.

Applicant replied that during winter season, many more cars are towed there because of accidents.

They'll try to keep the site neater, at least on the sides abutting adjacent properties.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to Approve the Minor Site Plan with conditions: Maximum of 5 parking spaces assigned for display of cars for sale in conformance with the site plan and the City of Fitchburg License Commission.

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

PUBLIC HEARINGS

Special Permit & Site Plan Review - Lorigan, 106 East St., 3-family (cont'd from 11/22/22)

No one present for this item. Applicant's architect had submitted an engineered site plan a few days ago, but DPW-Engineering has not had sufficient time to review. On behalf of the applicant Bill Lorigan had requested a continuance.

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue to the February 28 meeting.

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

Caron: Yes. Vote 7-0 in favor.

Mr. Capodagli recused himself from the following item due to a conflict of interest.

Special Permit & Site Plan Review - Silva, 8 Wilmot St., two-family dwelling (cont'd from 11/22/22)

Hearing re-opened. Present: Eliezer Silva, David Sadowski (remotely).

Revisions to plan from last time: Bldg. moved forward, less pavement, more landscaping, 6-ft high cedar fence is now on abutter's property line, drainage system explained. Units will be two side-by-side townhouse style 3-BR condominiums, each approx. 1,300 sq. ft. each. They had a site walk w/ the abutters & the Ward Councilor.

Board comments:

Ms. Caron: Architectural renderings do not match the site plan presented to the Board.

DPW needs more detail on the drainage swale.

Mr. Fontaine: The unfinished areas on the 3rd floor of the units should not be able to be converted into a 3rd bedroom.

Public comment:

Cheryl Jarvi, 12 Wilmot St. Street is too narrow for plows with cars parked on-street. She objects to a 2-family, it conflicts with the single-family nature of the street, wants a cedar (not vinyl) fence,

not entirely on her property but on the property line. A lot of city resources have been used to combat the issues with illegal parking, car repair, noise, etc. which affects the quality of life on this street.

Derrick Cruz, Ward 6 Councilor is opposed to current proposal & recommends denial. This street has problems with street plowing in winter, street is too narrow for trash & yard waste pickup, two additional units will add to the congestion.

Paula der Marderosian, 85 Lunenburg St. - Has concerns about residents parking in the street, prefers a single-family instead.

Comments from Nick Erickson, DPW reviewed.

Mr. Fontaine: A 2- or 3-family is in keeping with the general nature of the larger neighborhood.

Currently, Wilmot St. has 5 SFDs, and one 2-family.

Ms. Koeck prefers a single-family.

Ms. Butland has concerns with the 2-family, would like to see a plan for a single-family to compare to the 2-family.

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue the hearing to February.

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

Vote 6-0 in favor.

Mr. Capodagli returned to the meeting.

Modification of Special Permit 2019-19 - Final Touch Contractor, LLC, increase from 4-units to 6 units, Old Princeton Rd. (cont'd from 11/25/22) (request to continue to next month)

Present: Present: Eliezer Silva. Bill Hannigan, Hannigan Engineering (remotely).

Existing Special Permit allowed two freestanding duplex units. Architectural rendering showing two triplex townhouse-style units was reviewed. Bill has conferred w/ DPW about the proposal. There's an existing 2-inch water main in Old Princeton Rd. DPW requesting that the water line from Fifth Mass. be upgraded to a 6-inch line, a distance of approx. 500 feet, and that a hydrant be installed on Old Princeton Rd.

Since this will significantly increase project cost, the applicant is proposing to increase to 8 units.

The plan will be revised to have same building footprint as before. Parking will be provided for all units, plus additional visitor parking. Bill was seeking the Board's opinion before going forward.

Board comment:

Mr. Capodagli: Project is in a great location right off the Rt. 31 interchange. It will be a good-looking development & hits all the right buttons. He's OK w/ an increase to 8 units. Other Board members agreed.

Bill preferred that the hearing on the requested Transfer & Modification of the Special Permit be continued to next month.

Ms. Caron agreed; amending the request to increase from a 6-unit to an 8-unit project will need new notice & hearing.

Bill will submit revised engineered plans & a stormwater management plan in time for this to be re-advertised for next month.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to continue the hearing to February.

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

Caron: Yes. Vote 7-0 in favor.

Site Plan Review - Antonio, parking plan for 4-family dwelling, 41 Dumais St. (postponed from Dec. 27th)

Hearing opened. Present: Nadel Antonio (remotely).

Nadel is proposing to reinstate a 4-family dwelling that has been vacant for over 2 years.

Ms. Caron clarified that the Board is only doing a Site Plan Review on this project. Reinstating the 4 residential units is within the purview of the Bldg. Dept., or ZBA as appropriate.

All units will be 2-BR units. Required parking per Zoning: 4 x 1.5 spaces = 6 spaces. Proposed will be 8 spaces. Access to the site will be via improving the undeveloped half of a paper street (Front St.) which

will be 14-ft. wide & paved. Nadel plans to repair exterior stairs, replace the water connection with 4 separate lines for each unit. Also 5 electrical meters, one for each unit & the common area, will be provided. DPW review comments reviewed.

Public comments: None

Motion made (Mr. Fontaine) & seconded (Mr. Lopez) to close the hearing. Vote 7-0 in favor.
Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to Approve the site plan with conditions:
Repair retaining wall near street, handrail & concrete steps to be repaired, repair & paint/stain decks & porches, add some landscaping in front, pave driveway and parking areas, stripe parking areas. Address DPW comments.

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

Special Permit & Site Plan Review - True Storage, LLC, conversion of 88,000 sq. ft. of existing plaza to Self-Storage facility, 432 John Fitch Highway

Applicant had requested a continuance to the next meeting.

Motion made (Mr. Fontaine) & seconded (Ms. Koeck) to continue to the February meeting.

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

Site Plan Review - Rocheleau Tool & Die, proposed parking, 117 Industrial Rd., 0 & 10 Stevens Rd.

Hearing opened. Present: Pat McCarty, McCarty Engineering.

The applicant proposes to construct a new driveway and 22 additional parking spaces on the vacant 1.1 ac. 0 Stevens Rd. parcel, which is located between the two Rocheleau Tool & Die parcels.

A concrete sidewalk will connect the new parking area with the 10 Stevens Rd. building.

A new infiltration basin will be constructed on the 0 Stevens Rd. & 117 Industrial Rd. parcels to treat stormwater to Massachusetts Stormwater Management Guidelines.

Pat noted that the existing roof drain from the 10 Stevens Rd. building discharges onto & causes erosion at the abutting 31 Industrial Rd. (Millside Plumbing) site built last year. This will be addressed.

Board comment: None.

Nick Erickson, DPW had some comments emailed earlier in the day.

Public comment: David Tall, Alpha-Rho, 99 Stevens Rd. (abutting business): Rocheleau is a long-time family-owned business & has always been a good neighbor. They let Alpha-Rho operate out of their location when they lost power in the 2008 ice storm. He supports Rocheleau's request.

Motion made & seconded to close the public hearing. Vote 7-0 in favor.

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to Approve the Site Plan with the following conditions:

- Satisfactorily address issues raised by DPW:
 - Test pits to be conducted in the presence of DPW-Engineering prior to construction to verify assumed soil infiltration rate.
 - Stormwater Operation & Maintenance Plan and Long-Term Pollution Prevention Plan (LTPPP) should be recorded on the deeds of the properties.

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

Modification of Special Permit #2004-23, Arden Mills, 118 Bemis Rd. (conversion of clubhouse to office)

No one present for this item.

Ms. Caron: Board is lacking information. Need parking plan, # of employees & parking required. Check how this affects the parking plan for the overall Arden Mills development. Confirm that Arden Mills Condo Assoc. is the applicant & has control over the former clubhouse and whether they are on board with the proposed conversion.

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to continue to the February meeting.

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

Special Permit - NewVue Communities - conversion of 1st floor to residential, 470 Main St.
(cont'd from 11/22/22)

Hearing re-opened. Present: Marc Dohan, New Vue, Andreas Romero, Davis Square Architects. Steve Cook & Russ Tanner, New Vue (remotely). Davis Square renderings & floor plans revised dated 1/7/23 reviewed. Current unit mix on the upper floors of the building: 9 1-BRs & 22 2-BRs. Seven units will be added: 3 1-BR & 4 2-BRs.

Marc: Since the last meeting they have revised the unit mix as follows: 7 units Section 8, 19 units @ 60% AMI, 7 workforce housing, 5 unrestricted units. The rest of the first floor will remain with approximately 5,500 sq. ft. commercial space; 3,792 sq. ft. for New Vue's offices and two commercial spaces comprising 1,734 sq. ft. on the Main St. level.

Parking: 51 spaces would be required for the residential uses. Currently 22 spaces are reserved in the City parking garage for the existing units (with additional spaces available if needed), an additional 7 spaces (1 per unit) are proposed to be reserved to accommodate the new units. Parking is not required for commercial uses; however 15 existing off-street spaces are provided on the lot dedicated for commercial tenants.

Andres discussed the renderings of the site as seen from Boulder Dr. More landscaping & screening will be provided for the patio space which will provide more privacy for the units. There will be large south-facing windows on the lower level, the interior units will have clerestory windows.

Public Comment:

Andy Van Hazinga, Ward 4 Councillor opposes the project, it is bad public policy to concentrate lower-income housing in the downtown. If this project is approved the percentage of income-restricted units in the downtown will increase from 79% to 83%. The City should be encouraging more market-rate development in the downtown; this is a step backwards. The Board should not grant the waivers requested.

Board comment:

Mr. Fontaine agrees with Andy, having all income-restricted units is not desirable, but appreciated that NewVue has modified to include 5 Workforce units.

Ms. Caron noted that any market rate project could be changed into income-restricted units without the knowledge or permission of the Board.

Mr. Capodagli: He initially did not think that units on the first floor was ideal. He has since visited site. Their proposed floor plan makes sense; this will bring more residents downtown.

Mr. Lopez agrees with Pete.

Ms. Butland is torn.

Ms. Koeck: Board is between a rock & a hard place, but she supports the project.

Ms. McGrath wished that the proposed units were all market rate.

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

Motion made (Mr. Capodagli) & seconded (Ms. Lopez) to Approve a Special Permit with the following conditions:

1. A maximum of 7 residential units (3 1-BR & 4 2-BR) restricted to the rear of the 1st floor (Main St. level) and lower level (Boulder Dr. side), making the building a total of 38 units (12 1-BR & 26 2-BR). A minimum of 5 units is to remain market-rate.
2. The Waiver requested under 181.743(4) and 181.513 for reduced parking from 51 spaces to 29 spaces is granted subject to securing and maintaining off-street parking for a minimum of 29 spaces and submittal of lease or parking agreement(s); with provisions for additional spaces to be secured as necessary. The lease or parking agreements to provide adequate parking spaces shall be maintained in perpetuity. Parking agreements/lease shall be secured and submitted prior to first Certificate of Occupancy of the additional (7) dwellings units.

3. The Waivers requested under 181.743(2) lot density and 181.743(3) 50 ft. buffer are granted.
4. Subject to Departmental requirements.

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

OTHER BUSINESS

Modification of Special Permit #2021-12, 0 Beech St. (conceptual)

Present: Pat McCarty, McCarty Engineering, David King, Remax.

Pat proposed the concept of (1) transferring the Special Permit from AG Dream Flip, LLC to a potential buyer, and (2) to modify the plan from four 4-unit buildings, to eight duplexes. Distance between buildings will decrease from 25 ft. to 15 ft. Duplexes need not be sprinklered, which will be a substantial cost savings. A potential buyer wanted to get feedback from the Board before having the plans revised. Board consensus: No objection to the proposed modification.

Pat will be back with a more detailed site plan at a later date (March/April).

Clarification on condition of Special Permit 2022-7, Mad River Solar (buffer)

Present: Tom deNeufville, Mad River Solar. One condition of the Board's Special Permit was that there was to be a 125-ft. Buffer to abutting properties. The approved site plan shows this 125-ft. buffer only on the Ashburnham St. side abutting a number of houses. The northern & eastern sides of the property (near Stickney Rd.) have a lesser 40-ft. buffer. Mad River Solar is seeking clarification that the 125-ft. buffer shown on the approved plan conforms to that condition.

It was clarified that 125' vegetative buffer shown on the approved site plan is what controls the buffer for lots fronting on Ashburnham St., provided a minimum of 100' vegetative buffer is maintained to the Jacobs property (778 Ashburnham St.).

Motion made (Mr. Fontaine) & seconded (Ms. McGrath) to accept applicant's site plan revision subject to submission of documentation to the Community Development Office verifying a minimum 100 ft. vegetative setback to be maintained to the Jacob's property.
. Vote 7-0 in favor.

Tom mentioned that in the future he will be asking the Board to transfer Mad River's Special Permit to a different LLC.

Mr. Fontaine recused himself from the following item due to a conflict of interest.

Special Permit 2016-11, 579 South St. - possible modification & transfer

Present: Lance Dellagano. His 20-unit multifamily bldg. ("Coggshall Place") is almost finished & will be ready for occupancy soon. Lance is considering requesting an amendment to the Special Permit to not build the 4,500 sq. ft. office bldg. closer to South St. (which was the original plan) but instead build a 12-unit multifamily bldg. Since 2016 the market for office space has changed; there is no market for office space right now. All of the offers he's rec'd for the front portion of the site has been for residential use. The bldg. footprint will be approximately the same as the proposed office bldg. A draft building elevation was reviewed by the Board - three stories, 12 units, all 2-BRs

Board comments:

Ms. Caron: The original project was approved as a PUD, there was restrictions on commercial uses there because of the sight distance at site driveway - - the Board didn't want a lot of vehicle trips in & out. Consensus: Board not necessarily averse to additional residential, must fit into the PUD concept of mixture of uses, lesser height, perhaps townhouse style units.

Mr. Fontaine returned to the meeting.

179 Pratt St. - demo church & build 14 townhouse units (informal)

Present: David King, Remax, and a representative for the development. (*Name not stated*) They have a P&S with the church for the 179 Pratt St. parcel. David presented a sketch plan showing the demolition of the existing church and 14 proposed townhouse-style 3-BR units. Some of the parking spaces for the 50 Frankfort St. project is in a parking easement on the 179 Pratt parcel.

Board comment:

Mr. Fontaine: Project too dense, need to cut down on # of units, two units in front should be deleted. Access should be directly off Pratt, project should have its own access separate from the 50 Frankfort project.

Ms. Caron: Consider how this fits into the neighborhood, & traffic impacts

Year 49 (2023-24) Community Development Block Grant program - Recommendations

Present: Liz Murphy.

Liz went thru the Year 49 spreadsheet (attached), particularly the new applications.

Davis Thibault-Munoz spoke in favor of funding the Abolitionist Park

Liz suggested several revisions

Motion made (Mr. Fontaine) & seconded (Mr. Capodagli) to make a recommendation in line with the Community Development Dept's recommendations, with the following modifications:

Revise Bd. of Health-Code Enforcement to \$96K, revise Demolition to \$82, and add \$2,253.54 to Demolition.

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

Meeting Minutes

Minutes of the 8/25/22, 9/27/22, 10/25/22 & 12/19/22, & 1/12/23 (CDBG) meetings approved with some minor edits.

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 10:45

Next meeting: February 28, 2023