

Minutes: Selectmen's Meeting: Monday, February 24, 2014

Present: Chairman Daniel F. Devlin and Walter F. Alterisio;
Procurement Officer and Member Kenneth J. Leva, Clerk absent

Chairman Devlin called the meeting to order at 7:00PM with quorum present; Selectmen Leva out sick with the bug.

Road Commissioner Mike Martin advised they're trying to set up a meeting with Conservation and Historic relative to the road and erosion damage to culvert. He advised in two spots in particular, one by culvert and another down by Hardman's.

He also presented a drawing relative to the placement of the new salt-shed. Once markers are in place, they'll notify the Board. Mike advised were going to try to set up meeting with Conservation, Cemetery and Historical. Selectman Alterisio advised the issue and experience we've had with aversion to experience with walls and roadways – issue by McGovern's was the issue with the road which was affecting the integrity of the road. The area now in question is culvert crumbling which is affecting that section of the road. BORO will meet with Conservation, Historic and Cemetery and hear all their concerns and will compile and work on engineering. Selectman Alterisio asked whether he recalled Mike mentioning that culvert was stone – Mike advised it's all granite on top – can't see how it could be reproduced – the way it looks at it – is it can't be seen and as long as we don't disturb the process. Mike thinks the 1st slab that went across has cracked on the headwall but due to the base falling out is attributable to the damage from the beavers. BORO will be working with Town Engineer to get an estimate on the cost for design, etc. Selectman Alterisio cautioned that boards getting involved with changes in design, etc. as it pertains to safety issues; while the aesthetics and maintenance of integrity of that area are important – the safety and road conditions are of the ultimate importance. Some discussion of the possibilities for state funding of the project and possible approaches – Mike suggested moving the roadway to the north somewhat might make for a wider road. Right now we have to deal with the engineering requirements – once that's completed can look at when it can be included in the schedule – only a high likelihood of road failure could bring it forward. Discussion continued on the timeline for the McGovern wall section and how to best proceed.

Karl Huber appeared before the board with an update and to officially let the Board know that he doesn't plan to run for re-election – personal life has taken over. Selectman Alterisio noted the service he's provided to the town has been extraordinary and confirmed that

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Karl indicated he would be available for questions as needed and can be contacted via e-mail, etc. He reported that nothing further has taken place since his last report as he feels there's a lot of work for one person to do - was hoping would have a town administrator or town manager in place to take over some of the burden. In some shape or form, the Water Commission and town system will be faced with a large issue at some point - was somewhat disappointed, was hoping for some support for funding, etc. - it's a lot of work - system needs a lot of attention - Cheryl & Karl with the support of the other commissioners did a lot of work. System needs tender loving care and it's time to face reality - doesn't like to leave things undone, are a lot of things undone. Fincom should take the credit for it - should fall under the budget of the whole town. Can understand where some of the town residents feel since they're not on the water system, shouldn't have to take on the burden. Be prepared - there's a lot of work ahead; Selectman Alterisio indicated town needs to look at professional assessment of the system and the order in which it needs to be done. The Board noted all the work that had been done by Karl and his committee and Karl reported the Water Commission has a report card that has to be measured by the state every year - responsibility as a public utility. Cheryl Mann reported that Water and Roads are the two departments that need people available all the time noting Karl has made himself available whenever possible often going into work late when there were issues. Karl thank god we've had Highway Department - partner very well with them - without them they would be incurring prevailing wages from other vendors. Dana reported he'd sat in on

Alan asked if we have a warrant article prepared for ATM for the town for funding for all the items that need to be addressed to take care of all the basic issues to make it so the water system, as it exists is sound and it's up to Finance/Advisory to put forth the funding to take care of it. Alan - we all agree, if all have to go into Finance to make sure it gets done, so be it. Other item is to make sure we have someone to man the project and make sure it gets done correctly. Alan advised sees no reason to not bring it forward - right now money can be borrowed cheaply and needs to be done. Karl advised that Water has a meeting tomorrow night and will make sure there is an article ready to go for Annual Town Meeting. His concern is that with Pond Street the way it is - may need to look at building a Pond Street scenario - not just a bandaid. Chairman Devlin advised doesn't want to take that route. Karl reiterated he will keep himself available as much as possible for questions, etc., once his term is completed. Regulations, costs, etc. all build up. Selectman Alterisio rehashed the

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positions of the project and how best to approach – resource coordination, funding, etc.

Selectman Alterisio then inquired on whether anything came out of the meeting with GDRSD school committee and Groton Fincom and Selectmen – Chairman Devlin reported the incoming Superintendent was somewhat receptive to suggestions made and will work together with Fincom and the Selectboards.

Doug Deschenes appeared before the board for a little discussion – for a better understanding – moving forward with Planning Board for subdivision approval – not doing any removal of material. He noted, as you know Dunstable has a non-zoning bylaw that requires affordable housing but his client's concerned and wants to understand, as soon as we can, just how and if it applies to their project – do we have rules and regulations – how it's been applied in the past, as they have some concerns – don't want to wait until permit for first structure and discover it prohibits them from getting an occupancy permit since they haven't complied. Wants to be able to give his client guidance on what he should or shouldn't do – this lot on Hall Street, while there was concern as to entrance onto Hall Street- Jerry has made this lot available in the attempt to satisfy the intent in purpose where that lot could be donated to the town for an affordable housing unit at a later time – where the town could either build affordable housing on it, sell it or whatever. They've spoken with Habitat for Humanity who would be happy to build a unit on the property. Selectman Alterisio advised that he thinks that the issue, whether it be a street or anything put in that location, is it's not appropriate because there's no line of sight – applicability of the bylaw – while a great idea was taken out of another location with the resources to support. Town hasn't spent an awful lot of time on the bylaw. Mr. Deschenes questioned the – often required to allot for affordable housing within the subdivision in terms of the permit – with zoning bylaw requirement in place. He sees the idea & intent as a noble one and suggested the town may want to look at bringing it in as a zoning bylaw. The problem he has is he needs to have a definitive response – can't have his client move forward with the permitting process for approval of the subdivision without knowing where this stands; is amenable to do something for the town to address the affordable housing goals. Selectman Alterisio defining the affordable housing goal as an unfunded mandate from the state which affects our ability to apply for different grants, etc. as we have zero inventory of affordable housing although there are a number of units in the town that could qualify for that category but infrastructure needs to be put in place for Dunstable.

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Best for them to put it in writing – their concerns and questions and selectmen will respond to those – may come down to not prepared to deal with it at this time without the infrastructure in place to administer. Doug agrees with them, does a lot of work with affordable housing for developers and sits on the Board of Directors of Common Ground administering non-profit development of affordable housing. Also represented a client back a few years ago who brought forward an affordable housing project which met requirements but the town already had permitted a development that met the affordable housing requirements for the town. Common Ground is very interested in building a development for the town. Mr. Deschenes drew attention to the provisions in the bylaw that the Board of Selectmen take on the responsibility for monitoring the affordable housing. Discussion continued on the intent with the Mixed Use District and Common Ground, a non-profit developer who would oversee. Gerry from Alexander Estates entered the discussion and Attorney Deschenes reported on the prior discussion and the letter he'll be sending to the board – including some input into options for mitigating the spirit of the bylaw. The board agreed to have Town Counsel take a look at the letter to provide guidance.

Town Engineer Jeff Rider then appeared before the Board to report on his research into the MS4 permit and history back in 2003 EPA implemented the MS4 – Municipal Storm Sewerage system process. Dunstable has been able to get waiver and have applied for another waiver however recent discussion with EPA – their outlook is that we probably won't get one – reason is census comes up with urbanized areas – Dunstable has three – total population in those areas is 1057 people – cutoff is 1000. In anticipation of the realization of not getting the waiver, wants to be sure the town is prepared to address, but present budget won't cover. Town has to develop a notice of intent – to address 6 goals of permitting process public education, public involvement, illicit discharge, construction, post-construction and good housekeeping. He reported the notice of intent looks for kinds of programs to be put in place to address all six and identify which part of the town's government will address. When first started, weren't too picky but now want to know how many public meetings – verifiable – one of the biggest costs is have to map drainage system in the area tagged urbanized areas (third sheet of the handout shows where the three urbanized areas are). He had a conversation with EPA – only have to apply to urbanized areas targeted...things like good housekeeping, Selectman Alterisio asked what constitutes an urbanized area - # of residents within it? Selectman Alterisio

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confirmed that the new development off Lake Street wouldn't be classified as another urbanized area.

Jeff presented the board with a packet which included [EPA Small MS4 General Permit Update \(October 2013\)](#) and another packet from EPA on Stormwater Management on the [National Pollutant Discharge Elimination System \(NPDES\)](#). He advised that basically town will need to address the six goals for those areas – establishing the understanding of our problem – then put together program for mapping, public education, public involvement, illicit discharge, construction, post-construction and good housekeeping, etc. Jeff advised there are a lot of resources out there the town can use noting NMCOG has already developed the Stormwater Collaborative – developing public education and training programs for employees, etc. One thing – this is the whole town, if the Swallow School is in urbanized area, they must comply as well. Notice of intent is to identify.

Selectman Alterisio reported in talking with Beverly Woods of NMCOG estimated about \$40K a year for Dunstable's cost. Construction – town will need to pass a bylaw that regulates urban surfaces – need to develop program to control runoff. Right now most of the catch basins in town are fairly old – current requirements are for each catch basin to have oil hoods – many towns are going back and retrofitting catch basins with old hoods to meet requirement. One of the good things is a lot of the drainage system in town is documented but there are a lot that aren't. Jeff has been working with Road Commissioners who have some ideas in regulations that ...whole program is going to be Selectmen, Road Commissioners, Planning Board, Board of Health. Selectman Alterisio inquired whether the notice of intent would in effect notify the town departments of their responsibility. Jeff suggested creating a new committee. Issue is that last exemption was in 2008 – another was due in 2010 which was not issued. Understands that are working to put together a timeline to all towns to develop the program, beginning with the Notice of Intent. Jeff wanted to bring it before the board early as there's costs involved and will need to be budgeted for. Jeff estimated \$10-12K for preparing notice of intent for Dunstable – has a call into NMCOG for some input on what resources might be available for this. Jeff suggested it might make sense to purchase a portable GPS system for the highway to take readings and prepare coordinates. Dana Kinne reported he's signed up for training session on the subject. Jeff – one of the things with the waiver application – asked about bodies of water in the town – while have Lake Massapoag – it's fed from Tyngsboro. Jeff has

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plenty of material and will continue to make it available. Jeff will continue to work with Bev and the Board will look at the committees that will be involved and bring together a new committee to address. Selectman Alterisio advised that Dunstable is lucky to have a number of eco-sensitive individuals in town that will want to be involved.

Selectman Alterisio noted, again while it appears to be alphabet soup, when you break it down into action items, it's not that big a deal – most important is to move forward with a plan and address items.

The board noted that Advisory is meeting with the GDRSD School Committee on their FY2015 budget request. Selectman Alterisio indicated that getting people upset, as opposed to looking at the possible solutions for the funding issue, isn't the best approach.

The Board noted the communication from the chief relative to a policy & procedure and Police Unions request.

Treasurer's warrants were reviewed and signed, and meeting adjourned at 8:25PM after appropriate motion by Selectman Leva, 2nd and vote.

Respectfully submitted,

Danice N. Palumbo,
Board Secretary