



**OFFICE OF THE
TOWN CLERK
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**ANNUAL TOWN MEETING
May 10, 2010**

After determining that a quorum was present, the Annual Town Meeting was called to order at 7:06 pm by Moderator, Anne Farina. The format of the evening was outlined; the Moderator would accept a motion to recess the Annual Town Meeting and open the Special Town Meeting. Following the adjournment of the Special Town Meeting, a motion would be accepted to reopen the Annual Town Meeting. Upon returning to the business of the Annual Town Meeting, Article 2 would be stated by line item and a motion for unquestioned line items would be made and voted on. Questioned line items would then be considered. Town meeting tellers appointed were Mary Beth Pallis, Cheryl Mann, Patrick Wetmore and John Livingston who were sworn in by Town Clerk, Carol Skerrett. Voter check-in tables were staffed by Ann-Marie Wright, Amy Schembechler and Lorraine West.

Announcements included the reduction in the number of mailings for the tax bills, the wonderful Mother's Day breakfast sponsored by Boy Scout troop 28, information from FEMA regarding claims for damage incurred by the March flooding and a request to complete surveys prepared by the Safe Pathways Committee and Conservation Commission. The American flag was carried by members of Troop 28: Ethan Webber, Dunstable flag John Frey, Color Guard, Tim Crandall, Alec Barranco, Nik Jablonski, Sean Sullivan.

Following the Pledge of Allegiance, Town Clerk Carol Skerrett read the greetings; a motion was made and seconded to dispense with the reading of the articles, ending with the closing of the warrant and return of service.

Motion made and seconded and voted to recess the Annual Town Meeting at 7:17 pm.

Majority Vote Required
Voted in the Affirmative

Following the Special Town Meeting; motion made and seconded to reopen the Annual Town Meeting at 7:27 pm.

Majority Vote Required
Voted in the Affirmative

ARTICLE 1. Motion made and seconded that the Town accept the 2009 Annual Report as printed with the following corrections: Page 7 should include additional members Bruce I. Ebersman & William S. Jennings appointed to Affordable Housing Committee in November of 2009; the Safe Pathways Committee appointed late August: John M. Callahan, Diana Dalida, Lisa A. Gervais, Catherine O. Irzyk, Robert J. Iryzk, Julianna Perrissimotto, Susan K. Psaledakis and Bruce S. Tannenbaum; and the Zoning Review Committee appointed in October of 2009: Gail S. Brown, Joseph P. Dean, Ted O. Gaudette, David A. Johnson, Judith K. Larter, Joan M. Simmons and Kevin W. Welch.

Majority Vote Required
Voted in the Affirmative

ARTICLE 2. Motion made and seconded that the Town raise and appropriate the following sums to defray the expenses for the Town, to fix Salary and Compensation for all elected and appointed Town Officers:

GENERAL GOVERNMENT

Selectmen - 122	14,400
Personnel Policy Consult. - 124	-
FINCOM - 131	150
Reserve Account - 132	25,000
Accountant - 135	35,235
Assessors - 141	46,306
Treasurer - 145	31,707
Tax Collector - 146	35,707
Town Legal Professional and Technical - 151	30,000
Dog Program - 160	400
Town Clerk - 161	29,312
Elections - 162	6,975
Registrar - 163	225
Conservation - 171	16,483
Planning Board - 175	16,283
Zoning Board - 176	2,000
Town Hall - 192	89,364
Town Rentals - 193	-
Town Reports - 195	5,000
Town Engineer	15,000
TOTAL GENERAL GOVERNMENT	399,548

PUBLIC SAFETY

Police Department 210	834,880
Fire Department - 220	82,495
Emergency Medical Services - 232	8,750
Building Inspector - 241	17,057
Gas Inspector - 242	1,176
Plumbing Inspector - 243	1,788
Electrical Inspector - 245	3,828
Animal Inspector - 249	400
Emergency Management - 291	2,410
Dog Officer - 292	8,500
Forestry Public Works - 294	12,000
TOTAL PUBLIC SAFETY	973,283

SCHOOLS - 300

GDRSD - 300	4,600,311
GLRVTS - 300	168,763
TOTAL SCHOOLS	4,769,074

PUBLIC WORKS

Highway Department Operations - 422	247,156	
Snow Removal - 423	275,945	
Street Lights - 424	7,700	
	Subtotal Hwy Dpt	530,801
Transfer Station - 433	35,000	
Cemetery - 491	12,695	
Subtotal Other Public Works	47,695	
TOTAL PUBLIC WORKS	578,496	

HUMAN SERVICES

Board of Health - 510	11,270
Town Nurse Assessment -522	1,646
Mental Health Assessment - 523	400
Council on Aging - 541	13,098
Vererans Affairs - 543	4,308
TOTAL HUMAN SERVICES	30,722

LIBRARY, PARKS & RECREATION

Library Operations - 610	134,502
Library Consortium and Other Dues - 611	11,287
Technical Expense and Other Supplies - 620	17,413
Cable TV, Comm and Other Supplies - 630	-
Recreation Department - 631	2,080
Parks Department - 650	18,500
Arts Lottery Cultural Council - ABC	-
Historical Committee - DEF	-
Memorial Day Committee - 692	300
Summer Concert Committee - GHI	-
TOTAL LIBRARY & RECREATION	184,082

DEBT & INTEREST

Long Term Debt - 710	408,230
Long Term Interest - 715	87,908
Temporary Loan Interest - 725	-
TOTAL DEBT & INTEREST	496,138

INSURANCE & ASSESSMENTS

Cherry Sheet - 820	-
Disability Insurance Claims XYZ	-
County Retirement System - 911	169,414
Unemployment Compensation - 913	-
Group Health Insurance - 914	135,230
FICA Town Share - 919	17,050
Bldg/Vehicle Liab. Ins. - 945	70,000
TOTAL INSURANCE & ASSESSMENTS	391,694
TOTAL LINE ITEMS	7,823,037

Items Questioned:

- Selectmen – 122 (Selectmen Special Legal)
- Assessors – 141
- Tax Collector – 146
- Town Legal Professional and Technical – 151
- Correction Noted for Town Engineer should read “retainer” not Salaries
- Emergency Management – 291
- GDRSD – 300
- GLRVTS – 300
- Snow Removal – 423
- Group Health Insurance – 914

Motion made and seconded to raise and appropriate the line items not questioned.

Majority Vote Required
Voted in the Affirmative

Selectmen – 122. 0001-01-122-5300-0000-006 (\$7,500). Special legal includes land use litigation for zoning, personnel, bargaining, and negotiations. Motion made and seconded that the Town raise and appropriate the sum of \$14,400.00.

Majority Vote Required
Voted in the Affirmative

Assessors – 141. Amount requested level funded. Amount recommended included 3% salary increase. Motion made and seconded that the Town raise and appropriate the sum of \$46,306.00.

Majority Vote Required
Voted in the Affirmative

Tax Collector – 146. Question withdrawn. Motion made and seconded that the Town raise and appropriate the sum of \$35,707.00.

Majority Vote Required
Voted in the Affirmative

Town Legal Professional and Technical – 151. Retainer for Town Counsel. Motion made and seconded that the Town raise and appropriate the sum of \$30,000.00.

Majority Vote Required
Voted in the Affirmative

Emergency Management – 291. Increase due to Blackboard Connect town-to-resident notification system and other services. Motion made and seconded that the Town raise and appropriate the sum of \$2,410.00.

Majority Vote Required
Voted in the Affirmative

GDRSD – 300. Motion made and seconded that the Town vote by secret ballot

Majority Vote Required
Motion Defeated

Motion made and seconded that the Town raise and appropriate \$4,600,311.00.

Majority Vote Required
Voted in the Affirmative

GLRVTS – 300. Assessment includes an increase in enrollment (from 16 – 18 students).
Motion made and seconded that the Town raise and appropriate the sum of \$168,763.00.

Majority Vote Required
Voted in the Affirmative

Snow Removal – 423. Motion made and seconded that the Town raise and appropriate the sum of \$275,945.00.

Majority Vote Required
Voted in the Affirmative

Group Health Insurance – 914. Increase in number of employees participating. Motion made and seconded that the Town raise and appropriate the sum of \$135,230.00.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded that this meeting take Article 26 of the warrant out of order and address it immediately, as it addresses a supplement to the school budget appropriation voted under Article 2.

Majority Vote Required
Voted in the Affirmative

ARTICLE 26. Motion made and seconded that the Town raise and appropriate the sum of Three Hundred Nine Thousand Six Hundred Forty Seven (\$309,647.00) Dollars, in addition to sums appropriated under Article 2 hereof, for the town's assessed portion of the budget of the Groton-Dunstable Regional School System for fiscal year 2011, contingent upon an affirmative vote on the ballot provision seeking authority to override Proposition 2 1/2, so-called, relative to the Town's assessed share of said school budget.

A presentation was made by Jim Frey, Chairman of the Groton-Dunstable Regional School Committee to explain the need of the override. Following the presentation, Dan St. Jean (representing the Advisory Board) stated the Board voted 4 against, 1 in favor, 1 absent. Walter Alterisio stated there was not consensus of the Board of Selectmen though he personally was in favor stating his concern for the town budget; should the ballot vote fail in Dunstable and pass in Groton, a district-wide meeting could be called. With a majority affirmative vote, the Town of Dunstable would be required to fund the \$309,647 out of the town budget.

Motion made and seconded, voted in the affirmative to move the question. Motion made to vote by secret ballot, motion not seconded. Moderator proceeded to take vote in usual manner.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded that this meeting take Articles 32 and 33 of the warrant out of order and address it immediately.

Majority Vote Required
Voted in the Affirmative

ARTICLE 32. Motion made and seconded that the Town amend the Zoning Bylaw and the Zoning Map of the Town of Dunstable, Section 8 – B1 Retail Business District and Map by reclassifying Lot 0, Block 41 on the Assessors Map 12 and Lot 0, Block 61A on the Assessors Map 12 to be within the B-1 Retail Business District classification as shown on a map to be incorporated into the Dunstable Zoning Bylaw, such map on file and available for inspection at the Dunstable Town Hall, Planning Board Office.

The Board of Selectmen does not support the article.

Following lengthy discussion, a Motion made and seconded to move the question, motion passes.

2/3 Vote Required
232 votes cast. 156 Affirmative Required. Yes Votes: 176
Voted in the Affirmative

ARTICLE 33. Motion made and seconded that the Town of Dunstable amend the Zoning Bylaw in Section 8. B-1 Retail Business District providing for certain uses by Special Permit of the Planning Board by adding Section 8.2, Uses Permitted by Special Permit of the Planning Board as written in the warrant article of the 2009 Annual Report, Article 33.

During the discussion, it was noted that although Planning Board spoke in favor of Article 32, a formal report with recommendation had not been submitted. Proceedings under Article 33 were interrupted and a motion was made and seconded to reconsider Article 32 for administrative purposes of recording the Planning Board recommendation. The motion was read again verbatim by Planning Board member, Brett Rock with a Planning Board recommendation to adopt the amendment by a vote of 4 -1.

Motion to Reconsider Article 32
Majority Vote Required

Voted in the Affirmative

ARTICLE 32. Motion made and seconded that the Town amend the Zoning Bylaw and the Zoning Map of the Town of Dunstable, Section 8 – B1 Retail Business District and Map by reclassifying Lot 0, Block 41 on the Assessors Map 12 to be within the B-1 Retail Business District classification as shown on a map to be incorporated into the Dunstable Zoning Bylaw, such map on file and available for inspection at the Dunstable Town Hall, Planning Board Office.

The motion was read again verbatim by Planning Board member, Brett Rock with a Planning Board recommendation by a vote of 4 -1.

2/3 Vote Required
227 votes cast. 152 Affirmative Required. Yes Votes: 169
Voted in the Affirmative

Returning to Article 33, following a lengthy discussion which included a Planning Board recommendation by a vote of 4 -1, a comment was shouted from the floor, “let’s get on with it” or words to similar effect, which the moderator received as a motion to move the question; it was seconded; voted in the affirmative, motion passed. The vote was then taken.

2/3 Vote Required
228 votes cast. 152 Affirmative Required. Yes Votes: 149
Motion Defeated

A recount was requested which was supported by more than 7 voters. Moderator divided the room with “yes” votes on one side and “no” votes on the other. Two tellers were directed to count each side. The tellers counting “Yes” votes returned a consistent tally; but the tellers counting “no” votes were inconsistent (74, 83). Moderator instructed the tellers to count again with all 4 tellers employed to count the “no” votes. The “no” votes were inconsistent again by all 4 tellers (76, 76, 74, 73). Moderator instructed all negative voters to file by the Moderator’s podium for a direct count by her. The results of the count were tallied and declared by the Moderator as follows:

2/3 Vote Required
221 votes cast: 148 Affirmative Required. Yes Votes: 147
Motion Defeated

At which point, 2 of the tellers (who had originally counted the negative votes) explained to the Moderator they had not voted. They wished to vote in the affirmative. The Moderator sought the comment of Town Counsel privately, and was advised that as the vote had been declared, it was a legal vote, and could not be altered, regardless whether anyone had failed to vote. Persons nearby in attendance shouted “unfair.” The Moderator consulted further with Town Counsel briefly and stated she would entertain a motion to reconsider Article 33. Motion made and seconded that Article 33 be reconsidered.

Motion to Reconsider Article 33
Majority Vote Required

Voted in the Affirmative

A vote was again taken on the original motion under Article 33 which the Moderator counted personally as voters filed past her podium. She declared the vote as follows:

2/3 Vote Required

219 votes cast: 146 Affirmative Required. Yes Votes: 146 No: 73
Voted in the Affirmative

ARTICLE 3. Motion made and seconded that the Selectmen appoint for a term of one year, one Pound Keeper, two Fence Viewers, two Field Drivers, and three Surveyors of Lumber.

Majority Vote Required
Voted in the Affirmative

ARTICLE 4. Motion made and seconded that the Town take no action under Article 4, pertaining to gifts or trusts.

Majority Vote Required
Voted in the Affirmative

ARTICLE 5. Motion made and seconded that the Town hear reports of the following committees. Having heard none, there were no reports presented.

Majority Vote Required
Voted in the Affirmative

ARTICLE 6. Motion made and seconded that the Town take no action under Article 6, pertaining to unpaid bills.

4/5th Vote Required
Voted in the Affirmative Unanimously

ARTICLE 7. Motion made and seconded that the Town appropriate the sum of One Hundred Thirty Five Thousand Two Hundred Fifty Three Dollars and No Cents (\$135,253.00) for the construction and improvement to town roads of the Acts of 2006 State Reimbursement funds under G.L. Chapter 90, Section 34, Clause 127(A).

Majority Vote Required
Voted in the Affirmative

ARTICLE 8. Motion made and seconded that the Town take no action toward appropriating any sum of money for the resurfacing and/or repaving of town roads.

Majority Vote Required
Voted in the Affirmative

ARTICLE 9. Motion made and seconded that the Town raise and appropriate the sum of Seven Thousand Nine Hundred Seventy-Five (\$7,975.00) and no/100 Dollars to cover the purchase of new highway equipment including a radio repeater and FCC license.

Majority Vote Required
Voted in the Affirmative

ARTICLE 10. Motion made and seconded that the Town transfer the sum of One thousand One Hundred Sixty (\$1,160.00) Dollars, being the sum collected from annual sales of Christmas Trees, into an account known as the Christmas Tree Fund, account #0001-01-171-4730-0000-000, any and all expenditures from that fund to be made under the direction of the Conservation Commission.

Majority Vote Required
Voted in the Affirmative

ARTICLE 11. Motion made and seconded that the Town take no action at this time under Article 11, pertaining to tuition on an invoice due to Minuteman Regional Vocational Technical School District in Lexington for the Chapter 74 tuition for the 2010-2011 school year.

Majority Vote Required
Voted in the Affirmative

ARTICLE 12. Motion made and seconded that the Town take no action.

Majority Vote Required
Motion Defeated

Fincom recommends passing the article.

Motion made and seconded that the Town vote to transfer from the Town Stabilization account, the sum of \$39,500.00 for the purchase of a Records Management System for the Police Department.

2/3 Vote Required
Yes: 76 No: 3
Voted in the Affirmative

ARTICLE 13. Motion made and seconded that the Town appropriate from the Community Preservation Fund annual revenues in the following amounts as recommended by the Committee for FY2011:

Principal payment, Ferrari Farm note:	\$80,000.00
Interest on Ferrari Farm note:	54,900.00
Open Space Reserve:	30,000.00
Community Housing Reserve:	30,000.00
Historic Reserve:	30,000.00
Administrative Expense:	9,000.00
Balance to Budgeted Reserve:	66,100.00

Majority Vote Required
Voted in the Affirmative

ARTICLE 14. Motion made and seconded that the Town appropriate by reserve Two Thousand Five Hundred (\$2,500.00) Dollars or any other amount from the Community Preservation Fund annual revenues in the amount recommended by the Community Preservation Committee, to cover support cost for consultants, etc., toward the creation of affordable housing through the drafting and passage of inclusionary zoning provisions within the Dunstable Zoning bylaw.

Majority Vote Required
Voted in the Affirmative

ARTICLE 15. Motion made and seconded that the Town appropriate the sum of Forty Thousand (\$40,000.00) Dollars from the Historical Reserve Account of the Community Preservation Fund, the amount recommended by the Community Preservation Committee, to be used in conjunction with funding through a state energy grant, to supply and install historic window replacements for the Union School Building, as detailed in application approved by the Community Preservation Committee on November 18, 2009, subject to approval by Historical Commission.

Majority Vote Required
Voted in the Affirmative Unanimously

ARTICLE 16. Motion made and seconded that the Town amend further the Town Meeting Bylaw pertaining to the quorum requirement of a town meeting, amended pursuant to vote under Article 7 of the Special Town Meeting of January 25, 2010, so that the properly amended section reads as follows:

“Section 7. Fifty (50) registered voters shall constitute a quorum, provided that, for the limited purpose of convening a special or annual town meeting in order that it may act to postpone the meeting to a day certain under circumstances of inclement weather, or other circumstances that render the conduct of a town meeting impracticable, one (1) registered voter shall constitute a quorum”.

Majority Vote Required
Voted in the Affirmative

ARTICLE 17. Motion made and seconded that the Town raise and appropriate the sum of Eight Thousand Five Hundred (\$8,500.00) Dollars to cover the cost of a new water source for the Town hall grounds irrigation system.

Majority Vote Required
Motion Defeated

ARTICLE 18. Motion made and seconded that the Town appropriate the sum of \$125,000.00 to operate the Transfer Station, pursuant to a requested budget of \$10,800.00 for personnel and \$114,200.00 for operating expenses, for the ensuing fiscal year and that \$75,000.00 of this sum come from trash sticker revenue, \$15,000.00 of this sum come from enterprise retained earnings, and that \$35,000.00 of this sum be appropriated in the general fund as a subsidy to the transfer station.

Majority Vote Required
Voted in the Affirmative

ARTICLE 19. Motion made and seconded that the Town appropriate the sum of \$46,600.00 to operate the Water Department, pursuant to a requested budget of \$18,154.00 for personnel and \$23,546.00 for operating expenses, and \$4,900.00 for an emergency reserve fund for the ensuing fiscal year and that the full amount of this sum come from water enterprise revenues.

Majority Vote Required
Voted in the Affirmative

ARTICLE 20. Motion made and seconded that the Town authorize the Board of Health to enter into and/or extend a contract with any provider of household waste removal services, hazardous or otherwise, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Health to determine terms and provisions of any such agreements, the costs of such services to be defrayed pursuant to an appropriation made under Article 2 of this warrant, budget line items 433.000 and 433.001.

Majority Vote Required
Voted in the Affirmative

ARTICLE 21. Motion made and seconded that the Town, in accordance with M.G.L. Chapter 40, Section 4A, authorize the Board of Health to enter into an Inter-Municipal agreement with one or more other governmental units to provide public health services which the Board of Health is authorized to perform, in accordance with an Inter-Municipal Mutual Aid Agreement to be entered into between the Town and various governmental units.

Majority Vote Required
Voted in the Affirmative

ARTICLE 22. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered and expended by the Cemetery Commission for the operation and maintenance of the cemetery including the payment of wages or salaries of employees of such facility who are not full time employees of the Town, such fund to be funded by receipts collected from sale of lots, interment fees and other such pertinent fees appertaining to the cemetery, the maximum dollar limit to be expended from such fund during the next fiscal year will be \$20,000.00.

Majority Vote Required
Voted in the Affirmative

ARTICLE 23. Motion made and seconded that the Town authorize the Board of Selectmen to enter into and/or extend a contract with any provider of dispatch and related services, public or private, including by such vote the authority to enter into agreements under Massachusetts General Laws, Chapter 40, Section 4 and/or 4A, or any other provisions of law and the authority in behalf of said Board of Selectmen to determine terms and provisions of any such agreements and whether the Town will vote to raise and appropriate any sum or sums to defray the cost of any such service or agreement.

Majority Vote Required
Voted in the Affirmative

ARTICLE 24. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered and expended by the Recreation Committee for repairs, maintenance and/or improvements to town recreational sites (including Town Field, Larter Field, tennis courts, and any other facility under Recreation purview), such fund to be funded by donations, fund raising efforts, grants and receipts for usage permits, the maximum dollar limit to be expended from such fund during the next fiscal year will be \$20,000.00.

Majority Vote Required
Voted in the Affirmative

ARTICLE 25. Motion made and seconded that the Town authorize the use of a revolving fund for the next fiscal year pursuant to the authority of Section 53E1/2 of Chapter 44 of the General Laws, as established under Chapter 275 of the Acts of 1990, to be administered and expended by the Council on Aging for van transportation and miscellaneous transportation costs, etc. such fund to be funded by donations, fund raising efforts, grants and receipts from usage fees, etc., the maximum dollar limit to be expended from such fund during the next fiscal year will be \$7,000.00.

Majority Vote Required
Voted in the Affirmative

ARTICLE 27. Motion made and seconded that the Town raise and appropriate \$10,000.00 for the Stabilization Fund, which was established in accordance with Section 5B of Chapter 40 of the General Laws.

Majority Vote Required
Voted in the Affirmative

ARTICLE 28. Motion made and seconded that the Town vote to allow the Board of Assessors to use (\$67,976.00) of free cash in the Treasurer's hands for the purpose of reducing the tax levy of 2011.

Majority Vote Required
Voted in the Affirmative

ARTICLE 29. Motion made and seconded that the Town rescind the vote taken under Article 15 of the Annual Town Meeting of March 6, 1933 which vote established an Annual Town Caucus, in order to discontinue the Town Caucus pursuant to the provisions of Section 121 of Chapter 53 of the General Laws.

Majority Vote Required
Voted in the Affirmative

ARTICLE 30. Motion made and seconded that the Town vote to amend the Zoning Bylaw in Section 9. B-2 Service Business District, at Subsection 9.1, "Uses Permitted," by deleting the text thereof and substituting the following text:

"Uses Permitted:

Any use permitted and as regulated elsewhere in this bylaw in a B-1 District, but not including any uses incorporated in the B-1 District from the R-1 and R-2 Districts."

and further, at Subsection 9.4.1., by inserting a period (full stop) after the phrase, "...purposes of this bylaw," and deleting everything thereafter within Subsection 9.4.1.;

and further, in Section 11. Development Rules and Regulations for All Districts, by deleting all requirements referenced within the B-2 District as pertaining to “Residential Uses,” relative to Minimum Lot Area, Frontage, Front Yard, Side Yard and Back Yard.

Planning Board recommends passage of this article.

2/3 Vote Required
45 votes cast. 30 Affirmative Required. Yes: 26 No: 19
Motion Defeated

ARTICLE 31. Motion made and seconded that the Town amend the zoning bylaw in Section 6., R-1 Single Family Residence District, in order to clarify certain provisions relative to appeals rights in connection with customary home occupations by adding in Section 6.1.(g)v., after the phrase, “...shall thereupon be treated as an application for a special permit under Section 6.2,” the following clause: “subject to the appeal provisions of Massachusetts General Laws, Chapter 40A, Section 17, as the same may be amended from time to time.”

Planning Board unanimously recommends passage of this article.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 34. Motion made and seconded that the Town amend Section 15.2. of the Dunstable Zoning Bylaw, "Floodplain District," and the map of said District in the Dunstable Zoning Map, as follows:

(A) By repealing the existing Floodplain District Map, referred to in said Section 15.2., and by substituting therefor those areas of the town designated as special flood hazard areas, Zone A and Zone AE, shown on the Middlesex County Flood Insurance Rate Maps pertinent to Dunstable and issued by FEMA, consisting of twelve (12) separate sheets and being numbered as stated in the Warrant for this meeting, said sheets prospectively dated June 4, 2010, copies of which are available for inspection at the office of the Planning Board in the Dunstable Town Hall, said special flood hazard areas shown on said maps to be reproduced, illustrated and incorporated in a dedicated, specially drafted Floodplain District Overlay Map, which shall thereupon become part of the Dunstable Zoning Map; and

(B) By repealing Section 15.2. of the Zoning Bylaw, “Floodplain District,” as presently constituted, and by substituting therefor the new

“15.2. Floodplain District,” the full text of which is printed in the Warrant for this meeting and incorporated in this motion.

Planning Board recommends passage of this article unanimously.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 35. Motion made and seconded that the Town amend the zoning bylaw in Section 20. Definitions. By adding the following:

“20.11. Frontage. A street providing frontage is defined as provided in subsection 20.19. Street, Road or Way.”

and by renumbering the subsequent subsections accordingly;

and further, by deleting from the definition of Street, Road or Way (subsection 20.18. (c) in the un-amended numbering) the language after the word, “having” through the word “construction,” and by substituting therefore the following clause:

“a minimum right-of way width of 40 feet, and a traveled way consisting of 16 feet of asphalt pavement a minimum of three inches thick over compacted, well draining gravel base with two feet wide shoulders of 1 ½ inch angular crushed stone six inches deep,”

so that the amended subsection reads as follows:

“A way in existence prior to said Subdivision Control Law having become effective in the Town of Dunstable, having a minimum right-of way width of 40 feet, and a traveled way consisting of 16 feet of asphalt pavement a minimum of three inches thick over compacted, well draining gravel base with two feet wide shoulders of 1 ½ inch angular crushed stone six inches deep, to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.”

Provided that this amendment shall not be applicable to any lot shown on a plan recorded in the Middlesex North district Registry of Deeds prior to the effective date of the amendment.

Planning Board recommends passage of this article unanimously.

2/3 Vote Required
Voted in the Affirmative Unanimously

ARTICLE 36. Motion made and seconded that the Town amend the Zoning Bylaw by adding a new Section 24 relative to Wind Energy Conversion Devices, the full text of which is printed in the Warrant and incorporated in this motion by reference.

Planning Board recommends passage of this article unanimously.

2/3 Vote Required
Voted in the Affirmative Unanimously

Motion made and seconded to waive the reading of the minutes.

Majority Vote Required
Voted in the Affirmative

Motion made and seconded that the Town Meeting adjourn at 12:00 am.

Majority Vote Required
Voted in the Affirmative

Quorum Certificate

In accordance with The Town of Dunstable's Town Meetings, Town Elections & Records Bylaw, I hereby certify that the quorum for an Annual or Special Town Meeting is 50 registered voters of the Town of Dunstable. Total number of voters checked in at the Annual Town Meeting of May 10, 2010: 308

Respectfully submitted,

Carol A. Skerrett
Town Clerk, CMMC