



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
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Planning Board Minutes Monday, February 1, 2010

Meeting was called to order by Vice Chair, Joyce Cail at 7:30pm.
Members present: Judy Larter (7:35pm), Brett Rock and John Goldthwaite
Member absent: George Basbanes
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Meeting Minutes – January 4, 2010

Brett made a motion to accept the meeting minutes, as submitted, from the January 4, 2010 meeting. John 2nd the motion. – Motion passed.

Bills

None

February 15th Meeting

Due to the holiday on February 15th, the Board decided to hold their next meeting on Wednesday, February 17th at 7:30pm.

Fiscal year 2011 Budget

The Secretary presented the fiscal year 2011 budget. The Planning Board would like to level fund their expense account and increase the clerical account by 3% (as is being requested by the staff at Town Hall).

Letter to Extend Special Permit #2 – NRLC – River Street (River's Edge Estates)

The Secretary told the Board that the firm of Deschenes & Farrell, representing the Nashua River Land Corporation, has requested by a letter dated January 20, 2010 that the Special Permit #2 (recorded at the Middlesex Registry of Deeds - Book 22931/Page 64), be extended for two years due to the decline in the real estate market. The Planning Board's Special Permit Rules and Regulations state, "If an application is granted by the Board, construction or use shall be commenced within eighteen (18) months from the date of the filing of the Board's decision in the office of the Town Clerk unless good cause is shown by the applicant". The deadline for the extension is April 6, 2010. Judy made a motion to extend the permit for 2 years (April 6, 2010 – April 6, 2012). Brett 2nd the motion. The Board voted 4-0 to extend the permit.

Wind Energy Device Bylaw

Judy told members that she has not talked to Bob Pine regarding the Wind Energy Device. Joyce brought up that at the NMCOG meeting, there was question as to the height of the devices as well as determining the noise level set by DEP.



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Matt Raymond

Mr. Raymond came before the Board to inform them that his appeal for the “cease and desist” was denied by the Board of Appeals. He told the Board that he plans on moving forward with the lawsuit and has over three hundred (300) signatures to request a hearing for a B3 zoning change for his property on Pleasant Street. He went on to say that he is still interested in working with the Board, and is willing to put a deed restriction on the property (i.e. no gas station, etc.) if a B2 or B3 was passed at a Town Meeting.

Proposed Zoning Amendments – Annual Town Meeting – May 2010

Brett asked the Secretary if she has set up the hearing on the zoning amendments that were discussed at previous Planning Board meetings. The Secretary told the Board that she is planning on having a hearing in March, in time for the Annual Town Meeting. One of the changes addresses the zoning of some property(ies) on Pleasant Street from residential to B1. One property in particular, 213-215 Pleasant Street, is currently zoned residential but the Planning Board unanimously supported the previous owner’s attempt to change the property to B1. After their discussion, the Board decided that they are still in support of that change, therefore, this will be added to the list of proposed amendments for the hearing in March.

Allowing certain B2 uses in a B1 Zone by Issuance of a Special Permit by the Planning Board

Brett brought up that the Board had previously discussed allowing certain B2 uses in a B1 zone by issuance of a Special Permit by the Planning Board. He went on to say that he was interested in the Board’s general consensus regarding adding that proposed amendment to the zoning hearing. After discussion, the Board voted 3-1 in support. The Board asked the Secretary to set up the hearing for all the zoning changes.

Motion was made to close the meeting at 8:15pm. Motion 2nd. - Motion passed.

Respectfully submitted,

Cheryl A. Mann
Secretary
Dunstable Planning Board