



OFFICE OF THE  
**PLANNING BOARD**  
TOWN HALL, 511 MAIN STREET  
DUNSTABLE, MA 01827-1313  
(978) 649-4514 FAX (978) 649-8893  
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## **Planning Board Minutes Monday, October 17, 2011**

Meeting was called to order by Chairman, George Basbanes at 7:32pm.  
Members present: Willard (John) Goldthwaite, Jr., Joan Simmons, Brett Rock and Joe Vlcek  
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

### **Mr. & Mrs. Gerossie – 326 & 340 Forest Street – Temporary Stone Wall Opening**

The Gerossies attended the meeting to request a temporary stone wall opening for 340 Forest Street. They plan on having some trees removed and their contractor does not want to access the vacant lot (340 Forest Street) through their adjoining parcel (326 Forest Street) due to potentially damaging their driveway. The homeowner only wants a temporary opening and will restore the wall after the project. John made a motion to allow a temporary stone wall opening of 15 feet with the understanding that the wall will be rebuilt and the Gerossies must provide before and after pictures of the wall. Brett 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Stone Wall Opening at 245 Forest Street without a Permit**

Members noticed that the stone wall at 245 Forest Street had been opened without a permit from the Planning Board. The Board asked the Secretary to send a letter to the resident requesting their presence at the next meeting on November 7<sup>th</sup>.

### **Meeting Minutes – October 3, 2011**

John made a motion to approve the minutes, as submitted, from the October 3<sup>rd</sup> meeting. Joan 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Review and Sign Bills/Payroll**

Joan made a motion to sign the three 53G invoices for engineering review. John 2<sup>nd</sup> the motion. – Motion passed unanimously.

The Secretary brought up the request by the Treasurer that payroll sheets for all employees be signed before turning them in to her. Previously, they were signed at meetings a week or so after they were submitted. Brett made a motion that any existing member of the Planning Board can sign the Secretary's payroll. Copies will then be brought to meetings for the Board to review. John 2<sup>nd</sup> the motion. – Motion passed unanimously.

### **Special Permit Deliberations – 205-215 Pleasant St. – MSR Utility Maintenance Corp.**

In attendance for MSR Utility Maintenance Corp. was Attorney Douglas Deschenes and Project Manager Matt Hamor as well as Mr. & Mrs. Raymond. Attorney Rich Larkin and Town Engineer Jeff Rider were in attendance for the Town of Dunstable. At the October 3<sup>rd</sup> meeting, Chairman Basbanes requested that members come up with a list of potential Special Permit



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conditions to be discussed at the October 17<sup>th</sup> meeting. Jeff Rider combined all of the suggestions into one document for discussion.

Draft Conditions of Approval MSR Site Plan 205-215 Pleasant Street Dunstable, MA

- 1) Removed
- 2) This Special Permit will be reviewed in two (2) years. If the Board determines that a violation of the conditions has occurred; the Board may request the issuance of a cease and desist order or vote to revoke the permit.
- 3) The Planning Board or their designee, including the Conservation Commission may make periodic site inspections to confirm that the site and operations are in conformance with the conditions of this Special Permit. Such inspections shall be at reasonable intervals, during normal business hours and shall not require notice.
- 4) Uses and activities allowed under this Special Permit:
  - a. Removed
  - b. Removed
  - c. The building identified as 207 Pleasant Street may serve as a business office function of MSR Utility Maintenance Corp.
  - d. The building identified as 205 Pleasant Street may be used as vehicle and material storage for MSR Utility Maintenance Corp. in conjunction with personal storage by Matthew Raymond subject to the additional conditions of this special permit. No repairs of equipment or vehicles except for minor routine maintenance or minor repairs shall be allowed in this building. Any work that could cause or result in a significant leakage of fuel, or oil, or other fluid is prohibited.
  - e. Two 8 ft. x 19ft. storage containers may be used for material storage for MSR Utility Maintenance Corp. and shall remain in the location shown on the plan referenced in this Special Permit.
  - f. The upper parking lot shall be used for parking of a maximum of sixteen (16) vehicles or pieces of equipment (a trailer and contents shall be counted as one piece of equipment) of which no vehicle shall exceed 65,000 GPW.
  - g. Did not discuss (will address at 11/21/11 meeting)
  - h. The required number of parking spaces excluding the upper lot shall be based on the uses allowed in 205 and 207 Pleasant Street as required in the Zoning Bylaw.
  - i. No other outside storage of vehicles or equipment, beyond what is authorized in this Special Permit, can be stored outside.
  - j. Storage of other non-hazardous materials/equipment, if any, must be kept out of site of the road.
5. Still discussing (will continue on 11/21/11)
6. No additional lighting shall be installed on the site.
7. The only liquids allowed to be stored on the site are those in integral tanks for vehicles and equipment needed for their operation such as fuel tanks, water and small fuel containers no larger than 5 gallons. No hazardous materials petroleum oil, lubricants or



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- potential contaminants greater than 25 gallons aggregate may be stored on the premises, excepting heating oil used for heating of the buildings.
8. This Special Permit shall be subject to revocation in the event that the ownership of the stock of MSR Utility Maintenance Corp. by Matthew Raymond and/or members of his immediate family is less than 51% Proof of ownership in accordance with the foregoing sentence shall be provided by MSR Utility Maintenance Corp. if requested at any time by the Building Inspector or the Planning Board.
  9. Signage – what is allowed in B1
  10. Any and all construction vehicles or equipment stored on the premises shall be owned or leased by MSR Utility Maintenance Corp. or otherwise used in the active service of applicant's business. Storage of vehicles or equipment of others is not permitted (except as noted in 4d above).
  11. Removed
  12. Removed
  13. Still discussing (will continue on 11/21/11)
  14. Removed
  15. The Town of Dunstable shall be named as an insured party, or equivalent, on the MSR Utility Maintenance Corp. environmental insurance policy. A copy of the Certificate of Insurance shall be filed with the Planning Board prior to endorsement of the plans.
  16. Operation of the office functions shall be limited to 6:00am-5:00pm Monday through Saturday. All other operations including starting, running, moving or maintaining heavy equipment or trucks shall be limited to 6:00am – 7:00pm, Monday through Saturday, excluding Federal and Massachusetts holidays except during emergency operations.

Item #5 concerning the upper parking lot was discussed at length. Mr. Hamor said that installing a system with oil separator, water treatment, water infiltration, catch basins, etc. would run Mr. Raymond about \$50,000 and would need to be constantly maintained. He feels that the system he is proposing with a clay barrier, gravel base and a monitoring well, would be sufficient in the event of a truck leak and would run Mr. Raymond \$20,000-\$25,000. Jeff Rider indicated that he has serious concerns with Mr. Hamor's alternative to paving because the heavy equipment may damage the clay.

George asked about the environmental insurance and if that would cover remediation. Attorney Deschenes said that he will look into that prior to the next meeting.

It was decided that deliberations would continue to Monday, November 21<sup>st</sup> at 7:40pm. The Board asked Mr. Raymond to deposit additional money into the 53G account to cover the Town Engineer's expenses. Motion was made to close the meeting at 10:15pm. Motion was 2<sup>nd</sup>. Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann - Secretary, Dunstable Planning Board