



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-8893
planning@dunstable-ma.gov

Approved: June 3, 2013

Planning Board Minutes Monday, May 6, 2013

Meeting was called to order by Vice Chairman, Willard J. Goldthwaite Jr. at 7:30pm.
Members present: George Basbanes, Joe Vlcek and Joan Simmons
Member absent: Brett Rock
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Preliminary Subdivision Plan Discussion – “Alexander Estates”

Applicant Gerard Welch (listed as “Carolina LLC” on application) and George Dimakarakos from Stamski and McNary, Inc. attended the meeting to discuss alternatives with the development of 30+/- acres behind Lake and Hall Streets (formally known as the Lewis Property).

Mr. Welch submitted a conventional preliminary plan as well as an alternative open space plan for discussion. Mr. Dimakarakos told the Board that Mr. Welch will be purchasing the rights to the 55' right of way access on Lake Street from MaxMar Corporation. The conventional preliminary plan shows a 2,600' road from Lake Street to Hall Street with twelve house lots.

Mr. Dimakarakos told members that the alternative Open Space Plan would require a special permit with waivers. One entrance off Lake Street is proposed. There is a wetland on the parcel but the remaining property is high with excellent soils. The wetlands have been flagged. The Open Space plan would preserve the rail trail as well as give a portion of open space property to the Town of Dunstable.

George B. asked the applicant if he prefers the conventional or open space plan. Mr. Dimakarakos said the open space plan means less roadway and donating property to the town. George B. stated that there are no benefits to the builder if the road went to Hall Street because he can't sell homes on one side of the road. George B. said that he himself prefers the open space concept but mentioned that thought should be given to a 2nd entrance similar to what is on Highland Street for emergency purposes. Mr. Dimakarakos said that they would consider that.

Alan Chaney brought up that the access onto Hall Street (conventional plan) has some issues namely the curve, a hill and the junction with Groton Street. Mike Martin and Peter Gove concurred with Alan that the Hall Street access, as presented, could be a



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-8893
planning@dunstable-ma.gov

public safety issue.

Amy Regan asked about the 2 acre lot requirement in the Zoning Bylaw. George said that with an approved special permit open space plan the applicant may build on less than the 2 acre minimum. Joan said that the developer may want to think about shifting the subdivision away from Lake Street a bit to protect the privacy of the homes affected by the development. Amy Regan said that building fewer homes would allow for more of a buffer between her house and the development.

George asked if the builder would consider making one of the homes affordable housing. Mr. Dimakarakos said they would have to think about it.

George asked the developer if they could meet at the site so the Board could view the property before the next scheduled meeting.

Mr. Dimakarakos was asked about Parcel A listed on both plans. He said that there had been a verbal agreement between the old owner and a neighbor and that the parcel may be sold to him.

The Board decided not to vote that the application is complete as required by the Town of Dunstable Rules and Regulations for Subdivisions because the application lists "Carolina LLC" as the applicant. Town Engineer Jeff Rider stated in his comments of May 3, 2013 that "there is no such entity listed with the Secretary of State's office." Mr. Dimakarakos said that the company's name is actually "Carolina Properties LLC". The Board will seek advice from Town Counsel Rich Larkin regarding whether Mr. Welch will need to re-file Form B. Mr. Dimakarakos asked if the Board would allow them to withdraw the Form B without prejudice and waive any additional fees (than they've already paid) for the re-filing. Joe made a motion that if Town Counsel advises the applicant to change the name of the company on the Form B and re-file the application; the applicant will not need to pay additional preliminary filing fees. George 2nd the motion. – Motion passed unanimously.

The Board would like the following items addressed before the next meeting for Alexander Estates:

- a) ANRAD filed to verify wetland delineations.
- b) Site walk – scheduled and announced at the meeting that this will take place on Thursday, May 30th at 6:00pm – everyone will meet at the railroad bed at the end of Lake Street.



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-8893
planning@dunstable-ma.gov

- c) Opinion of Town Counsel will be sought regarding whether the filing is complete due to the company name being incorrect on the Form B.
- d) Opinion of Town Counsel regarding who should be signing the application. The applicant is not the current owner.

The Board stated at the meeting that the application/preliminary plan will be discussed further on Monday, June 3rd at 7:30pm.

Meeting Minutes of April 16, 2013

Joe made a motion to approve, as written, the minutes of the April 16th meeting. Joan 2nd the motion. – Motion passed unanimously.

Review and/or Sign Bills/Invoices

None

Review and/or Sign Payroll

The Secretary's payroll slip was signed.

Monday, May 20th Meeting

Our next scheduled meeting falls on the day of Town Elections. Legal counsel for the Secretary of the Commonwealth Elections Division stated in her 2006 memo that "certain public hearings and meetings appear to be permitted on Election Day, however, they do not recommend holding them on the day of the election." Therefore, the Board decided that if they do not have any agenda items scheduled for May 20th, they would cancel the meeting.

Lowell Sun Article on Marijuana Bylaws by Town

The Secretary handed out an article from the Lowell Sun about local towns asking at their Annual Town Meetings for one year moratoriums on medical marijuana facilities.

Additional Topics Discussed Not Noted on the Agenda

Motion made by Joe to close the meeting at 8:15pm. Motion 2nd by George. The motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann
Secretary, Dunstable Planning Board