



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

**Planning Board Minutes**  
**Thursday, April 10, 2014**

Approved: April 23, 2014

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

**Definitive Subdivision/Special Permit Hearing Continuation - Alexander Estates - Carolina Properties LLC – Hall Street/Lake Street**

In attendance: applicant Gerry Welch, Attorney Douglas Deschenes and George Dimakarakos and Bill Hall from Stamski and McNary.  
A plan dated April 2<sup>nd</sup> was previously submitted for review implementing suggestions made by the Planning Board and Town Engineer at the last meeting. The new plan reduces the size and moves the infiltration basin further away from the Regan's property. Trees are proposed to be planted between the basin and Regan's as well as along the access road and along Alexander Way between the Regan and Mortarano's properties. Jeff Rider reviewed the plan and asked for a few additional minor changes.

Joan asked members to reconsider the installation of an underground basin which would be of benefit to the Regan's. Jeff said that an underground system wouldn't be a desirable alternative for the town because of the maintenance cost and if the system failed, you wouldn't know until it was too late. It is also against what the Board of Road Commissioners has requested. Joan then suggested having the homeowner's on Alexander Way responsible for its maintenance. George said that in theory that would be great but who's going to ensure that that is done? Attorney Deschenes brought up that the area of disturbance for both systems is the same; however, one would be flat while the other has a berm with trees blocking the basin from the Regan's property. Brett asked that if the subdivision was a conventional type, would a basin still be necessary. George Dimakarakos said it would and two may actually be required.

Resident Amy Regan spoke up saying that the changes the builder made were minimal and disingenuous at a minimum. She said that traffic will increase 90-100% and water will flow onto Lake Street which already has issues. She said that the Planning Board can not approve a subdivision without finding that:

1. The proposed construction or use is consistent with the general purposes of the Zoning Bylaw;



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2. The proposed construction or use will not impair the integrity of the district and adjoining districts;
3. The proposed construction or use will not be detrimental to the health and welfare of the occupants and users thereof, and citizens of the Town;
4. The proposed construction or use will not be detrimental to the value of nearby property;

Ms. Regan stated that she believes the value of her property will drop. George asked Ms. Regan if she brought in anything to show the Board to back up her claim. She had not. Joe said that he believed there would be less traffic on the cul-de-sac than if the conventional subdivision with a thru-way was built. He also said that when purchasing his own property a realtor told him that a cul-de-sac adds value to the surrounding properties because families prefer neighborhoods where kids can play and ride bikes. Mr. Welch spoke up saying that he has been building for thirty years and every cul-de-sac he's completed has increased the property value of the existing houses at the entrance of the new road.

Ms. Regan said that the Special Permit Regulations state that there are to be (up to) six houses on (up to) a 600 foot cul-de-sac. The applicant is asking for eleven houses on a 1,086 foot cul-de-sac. She reminded the Board that if they are waiving those requirements they could request fewer houses in the subdivision. She asked that the house closest to her be removed and the infiltration basin pushed back. If that was done, she indicated that she'd be more amenable to the project. Ms. Regan said she is concerned about standing water breeding mosquitos/ticks and the basin being an attractive nuisance to children. Joe said that he had done research and could not find any statistics regarding drowning children in infiltration basins. Mr. Dimakarakos said that they were not being disingenuous and that at every meeting he's attended in other towns he hears the same thing; that there are too many houses proposed and residents are concerned about drainage. Ms. Regan said that if the open space subdivision of eleven houses is approved, the Regan's will take this issue up in Land Court. The Board said that they heard the Regan's concerns at the last meeting and asked the applicant to decrease the size of the basin, move it further away and add plantings to separate the basin from their property. Members said that the applicant has done everything that we've asked of him.

Jim Regan asked the Board if they have seen a definitive subdivision plan that actually can be built, questioning the approved preliminary plan with the egress onto Hall Street. George Dimakarakos asked Mr. Regan why Stamski & McNary would design a subdivision that couldn't be built.



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Joan asked why the lot on Hall Street was separated out and not part of the open space. Attorney Deschenes said that his client has had discussions with the Board of Selectmen about that lot satisfying the General Bylaw regarding Affordable Housing.

After giving those that wanted to be heard the opportunity, George made a motion to close the Special Permit hearing for Alexander Estates. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to close the hearing      George Basbanes – yes to close the hearing  
Joe Vlcek – yes to close the hearing      Joan Simmons – yes to close the hearing  
Willard J. Goldthwaite Jr. – yes to close the hearing.

Joe then made a motion to close the hearing for the Definitive Subdivision for Alexander Estates. Brett 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to close the hearing      George Basbanes – yes to close the hearing  
Joe Vlcek – yes to close the hearing      Joan Simmons – yes to close the hearing  
Willard J. Goldthwaite Jr. – yes to close the hearing.

The Board then addressed the waivers.

George made a motion to grant the waiver from Section IV.A.3.c – Street Cross Section – requiring a planning strip as well as sidewalks. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to grant waiver      George Basbanes – yes to grant waiver  
Joe Vlcek – yes to grant waiver      Joan Simmons – yes to grant waiver  
Willard J. Goldthwaite Jr. – yes to grant waiver.

George made a motion to grant the waiver from Section IV.A.5.a – Dead-end Streets – requirement of a dead-end street only serving 6 lots and being 600' or less in length.

Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to grant waiver      George Basbanes – yes to grant waiver  
Joe Vlcek – yes to grant waiver      Joan Simmons – yes to grant waiver  
Willard J. Goldthwaite Jr. – yes to grant waiver.

Joe made a motion to grant the waiver from Section IV.A.5.b – Dead-end Streets – requirement of a landscaped island. Brett 2<sup>nd</sup> the motion. – Motion passed 4 to 1.

Brett Rock – yes to grant waiver      George Basbanes – yes to grant waiver  
Joe Vlcek – yes to grant waiver      Joan Simmons – not to grant waiver



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Willard J. Goldthwaite Jr. – yes to grant waiver.

George made a motion to grant the waiver from Section IV.B.2.b – Conveyance System – requirement of 4:1 side slopes in swales. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to grant waiver George Basbanes – yes to grant waiver

Joe Vlcek – yes to grant waiver Joan Simmons – yes to grant waiver

Willard J. Goldthwaite Jr. – yes to grant waiver.

George made a motion to grant the waiver from Section IV.F. – Utilities – requirement to extend and connect a water main with the condition that, per the Fire Chief, a 30,000 gallon cistern for fire protection is installed. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to grant waiver George Basbanes – yes to grant waiver

Joe Vlcek – yes to grant waiver Joan Simmons – yes to grant waiver

Willard J. Goldthwaite Jr. – yes to grant waiver.

George made a motion to grant the waiver from Section V.3 – Drainage – requirement of under-curb drainage in cut sections of the roadway on the condition that the Planning Board reserves the right to require the under-drain as determined during construction inspections. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to grant waiver George Basbanes – yes to grant waiver

Joe Vlcek – yes to grant waiver Joan Simmons – yes to grant waiver

Willard J. Goldthwaite Jr. – yes to grant waiver.

George made a motion to grant the waiver from Section V.5 – Curbing – requirement of having curbing in the subdivision. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

Brett Rock – yes to grant waiver George Basbanes – yes to grant waiver

Joe Vlcek – yes to grant waiver Joan Simmons – yes to grant waiver

Willard J. Goldthwaite Jr. – yes to grant waiver.

Because of the April 21<sup>st</sup> holiday, the Board set the date of Wednesday, April 23, 2014 at 7:35pm to vote on the Special Permit and Definitive Subdivision.

**Meeting Minutes of March 26, 2014**

Joe mentioned that he made an addition to the draft minutes. The revised minutes were before the Board tonight. Joe made a motion to accept the meeting minutes from the March 26<sup>th</sup> meeting. Brett 2<sup>nd</sup> the motion. – Motion passed unanimously.



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**Review and/or Sign Bills**

Two Cuoco & Cormier invoices (Alexander Estates and 1054 Main Street) were signed.

**Review and/or Sign Payroll**

One payroll slip was signed.

**Monday, April 21<sup>st</sup> – Holiday**

Wednesday, April 23<sup>rd</sup> was set as the next meeting date for the Planning Board due to the April 21<sup>st</sup> holiday.

**Update on Budget for the Planning Board**

The secretary reported that the budget had been returned from the Finance Committee. They are planning on supporting level funding expenses and a 2% increase in pay.

**1054 Main Street – 52G Account**

The Secretary told the Board that they had just signed off the last invoice for 1054 Main Street and she asked to return the remaining funds to Kenneth Tully. Brett made a motion to return to Ken Tully the remaining money in the 53G account. Joe 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Additional Topics Discussed Not Noted on the Agenda**

Motion was made to close the meeting at 8:55pm. Motion 2<sup>nd</sup>. – Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann  
Secretary  
Dunstable Planning Board