



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 Tuesday, September 2, 2014

Approved: September 15, 2014

Meeting was called to order by Chair, Joan Simmons at 7:31pm.
Members present: Joe VLcek, Brett Rock, George Basbanes and Joshua Kelly
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Scenic Road Hearing – 245 Forest Street – Josh Kelly

Joan opened the hearing at 7:31pm. Josh, a member of the Planning Board, stepped down from his position in order to present his Scenic Road application. He explained to the Board that he plans on closing his existing driveway opening so he can change the location. This change requires breaking through a stone wall. He told members that he has not decided whether he will pave with asphalt or chip & seal and may have a cobblestone apron. He also has a driveway permit from the Highway Department. After the discussion George made a motion to close the hearing and approve the request to alter an existing stone wall with the following conditions: a) the opening may be no less than 15 feet but no more than 20 feet, b) the stones displaced shall be used to fortify the remainder of the wall, c) No further work shall be done without authorization from the Planning Board, d) Work shall be completed within 12 months, and e) Photos of the project shall be sent when the project is complete. Joe 2nd the motion. – Motion passed unanimously.

Josh then joined the Board for additional business.

Meeting Minutes of August 4, 2014

George made a motion to approve, as submitted, the minutes of the August 4th meeting. Brett 2nd the motion. – Motion passed unanimously.

Bills

One invoice for advertising for a Zoning Bylaw hearing was signed as well as invoices for 53G accounts.

Payroll

One payroll slip was signed.

Riverview Estates – 53G Account in Arrears - McGovern

The Board discussed that the 53G account for Riverview Estates is in arrears. There



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is an outstanding invoice for Cuoco & Cormier that cannot be paid because there is not enough money in the 53G account to cover the invoice. Two letters have gone out asking for additional funds. George made a motion to send Mr. McGovern a letter stating that according to our Bylaws he is, at the request of the Planning Board, required to add money to his 53G inspection account. If he does not, the Board may be compelled to deny further Building Permits for the Riverview Estates project. Brett 2nd the motion. – Motion passed unanimously.

Department of Telecommunications & Cable Letter about Wireless Legislation

Letters stating the Board's position with regard to the legislation involving collocation of wireless facilities were sent to Senator Donahue, Representative Sheila Harrington and the Department of Telecommunications & Cable (Department) by the Planning Board. Joan received a response from Karen Charles Peterson the Commissioner of the Department stating that they took no position on the legislation. Joan will make phone calls to Ms. Peterson as well as Senator Donahue and/or Representative Harrington to reiterate the Board's position.

Alexander Estates Memorandum of Agreement to Extend Time

The Board received a "Memorandum of Agreement Alexander Estates" from Attorney Deschenes for the Hall Street/Lake Street project. Town Counsel reviewed the document which allows for an extension of the "Conditions of Approval". Joe made a motion to sign the document extending the date to September 29th. George 2nd the motion. – Motion passed unanimously.

Additional Topics Discussed Not Noted on the Agenda

Authorizations to Approve Bills and Payroll

The Board discussed the forms from the Town Accountant on who can sign the Secretary's Payroll and Bills. After the discussion, the Board voted the following: Joan Simmons as Chair (department head) may singly sign payroll and all bills. If she is unavailable, the Vice Chair (Joe Vlcek) or Clerk (George Basbanes) may sign.

Marijuana Bylaw Approved at the Special Town Meeting - November 12, 2013

The Planning Board presented a Marijuana Moratorium Bylaw to the voters at the Special Town Meeting in November 2013. This bylaw was approved by the voters and forwarded to the Attorney General's (AG) office. The bylaw was put on hold in February of 2014 by the AG's office due to an omission of the newspaper publications by our



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Town Clerk's office. This extended the 90 day review period, but the Town Clerk has not heard from the AG's office on the status of the bylaw. Town Counsel was contacted and on September 2, 2014 said that the AG's office's policy was to allow, across the board, a period to give municipalities time to adjust to the concept and plan for the future. The time period has come and gone and there is no point in re-voting the moratorium. The Board asked the Secretary to look at surrounding town's regulations so a bylaw may be drafted in the near future.

Brett made a motion to close the meeting at 8:25pm. Josh 2nd the motion.-Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann
Secretary
Dunstable Planning Board