



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
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(978) 649-4514 FAX (978) 649-8893
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Planning Board Minutes Monday, September 15, 2014

Approved: October 6, 2014

Meeting was called to order by Chair, Joan Simmons at 7:30pm.
Members present: Joe VLcek, Brett Rock and Joshua Kelly
Member absent: George Basbanes
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Scenic Road Discussion – 202 Hardy Street – Carleton

Mr. & Mrs. Carleton attended the meeting at the request of the Planning Board. A resident concerned that the Carleton's were in violation of the Scenic Road Bylaw called the office on Wednesday the 10th. A letter was mailed that day asking the Carleton's to appear before the Planning Board at their next scheduled meeting. The Carleton's explained that the slate and mortar decorative wall was built in 2001. They went on to say that the wall has been damaged over the years so they decided to replace the slate wall with a rock one that is similar to the old stone walls that we see throughout town. They were not repairing or replacing an old stone wall. Joe made a motion that the Carleton's were not in violation of the Scenic Road Bylaw. Brett 2nd the motion. – Motion passed with Joan abstaining from the vote.

Meeting Minutes of September 2, 2014

Joe made a motion to approve, as submitted, the minutes of the September 2nd meeting. Josh 2nd the motion. – Motion passed unanimously.

Bills/Payroll

One invoice for certified mail and payroll for the Secretary were signed.

Proposed Zoning Bylaw Amendment Hearing

Joan opened the hearing at 7:40pm. The Secretary read the notice of the hearing. Carol Bacon and Mary Moeller from the Affordable Housing Committee were in attendance as well as Town Counsel, Rich Larkin. No one else was present. Ms. Bacon explained the history behind the proposed bylaw changes saying that the Affordable Housing Committee (AHC) is trying to define "accessory apartments". Attorney Larkin told the Board that Section 6.2(g)viii should be withdrawn since, as written, it introduces a confusing element into the Section. After the discussion with Ms. Bacon and Ms. Moeller, Attorney Larkin said that he has an understanding of what the Committee wants to accomplish and will work with them to come up with an article for



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the Annual Town Meeting in May. Brett made a motion to close the public hearing at 8:12pm. Joe 2nd the motion. – Motion passed unanimously. Brett then made a motion to support the changes presented under Section 6.2(g)ii, Section 6.2(g)iii and Section 6.7.3(B) of the Zoning Bylaw (see below) and to strike proposed changes to Section 6.2(g)viii (also below). Joe 2nd the motion. – Motion passed unanimously.

ARTICLE ____. **Uses Permitted by Special Permit of the Board of Appeals:** To see if the Town will vote to amend Section 6.2 of the Zoning Bylaws, Uses Permitted by Special Permit of the Board of Appeals, by making additions (shown by **{bold}**) as follows:

Section 6.2(g)ii

%The apartment shall have its own separate entrance from the outside **{and be no larger than 35% of the floor area of the main residence, or 1200 square feet, whichever is larger.}**+

Section 6.2(g)iii

%The apartment shall have its own kitchen facilities and its own interior toilet facilities **{and have no more than two bedrooms.}**+

or take any other actions relative thereto

ARTICLE ____. **Uses Permitted by Special Permit of the Planning Board:** To see if the Town will vote to amend Section 6.7 of the Zoning Bylaws, Uses Permitted by Special Permit of the Planning Board, by making deletions and insertions/additions (deletions are shown by ~~{strikethrough}~~ and insertions/additions are shown by **{bold}**) as follows:

6.7.3(B)

% ~~not less than {fifty (50) acres}~~ **{five (5) acres.}**+

or take any other actions relative thereto.

Section not approved to go on the Special Town Meeting Warrant:

Section 6.2(g)viii - Uses Permitted by Special Permit of the Board of Appeals

*After "The premises continue to be used as principal residence by a relation or relations of the occupants of the apartment" add "**or, the apartment may be converted to a rental unit.**"*



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Alexander Estates Subdivision – Review/Accept Documents and Sign Plans

This will be put on the agenda for the next meeting. Documents and plan changes were hand delivered to the office on September 11th; however, Town Counsel did not receive them until Friday the 12th which did not give him enough time to review and comment by the scheduled meeting on the 15th.

Verizon Wireless 53G Account – Vote to Return Funds

The Secretary told members that Jeff Rider e-mailed the office saying that all invoices have been submitted for the Verizon Wireless Special Permit (at the church) so the remaining funds can be returned. Brett made a motion to return the \$3,875.52 plus interest to Duval and Klasnick LLC. Joe 2nd the motion. – Motion passed unanimously.

Marijuana Bylaw Materials

The Secretary handed out a draft bylaw from Kopelman and Paige, P.C. and an approved bylaw from the City of Newton for the Board to review. This will be put on the agenda for the next scheduled meeting.

Additional Topics Discussed Not Noted on the Agenda

Department of Telecommunications & Cable Letter about Wireless Legislation

Joan told members that she found out that the FCC is expected to issue nationwide siting standards for wireless telecommunications. It was suggested that the Planning Board write to members of our Senate expressing our view as a Planning Board. Joan drafted a letter which she forwarded to Attorney Larkin for review/comment. Members feel that balancing the need for coverage with guidelines is important.

Brett made a motion to close the meeting at 8:36pm. Joe 2nd the motion.–Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann
Secretary
Dunstable Planning Board