



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
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Planning Board Minutes
Monday, November 16, 2015

Approved: December 7, 2015

Meeting was called to order by Chairman, Joe VLcek at 7:30pm.
Members present: Joshua Kelly, George Basbanes, Joan Simmons and Brett Rock
Also present: Attorney Richard Larkin and Building Inspector Dana Barnes
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Meeting Minutes – November 2nd

Brett made a motion to approve, as submitted, the minutes of the November 2nd meeting. Josh 2nd the motion. – Motion passed with Joan abstaining from the vote.

Review/Sign Bills and Payroll

No bills were submitted. Payroll was signed.

Acknowledgement of Receipt of the Conflict of Interest Law

The Secretary handed out the receipts for the conflict of interest summary for members to sign. The Board received the information earlier from the Town Clerk.

Nextel Communications Letter Cancelling Bond for Cell Tower

The Board received a letter from Travelers Surety Company informing the Town that they plan on cancelling the bond for Nextel Communications on November 11th. This bond was a condition of the Special Permit approval and was put in place to restore the Pleasant Street cell tower site if Nextel ever abandoned their equipment. After a discussion with the Planning Board and Town Engineer Jeff Rider, Attorney Larkin sent a demand notice to Traveler's requesting the amount of \$10,000 as the principal abandoned the site and the equipment. Rich reported that he received a form asserting claim on the bond.

Riverview Estates Update

No update

Alexander Way – Inspection Reports

Attorney Larkin and Dana Barnes were in attendance for a discussion on Alexander Way. The Board addressed the issue of how to insure that contractors install gutters and infiltration systems for each individual house as specified in the approved subdivision plans. Dana said that the gutter systems were not in the building code, therefore, he did not need to be concerned with them. Attorney Larkin responded that



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under Mass General Law, he did. Chapter 41, Section 81Y says that the officer having the power and duty to issue permits for the erection of buildings must insure *"that any condition endorsed thereon limiting the right to erect or maintain buildings on such lot have been satisfied, or waived by the planning board"*. After the discussion, it was decided that during the Building Permit signoff, the Planning Board will check a box requesting that the Occupancy Permit come before them. In order for the homeowner to get their permit, they will need to provide to the Planning Board proof that the approved subdivision plans were adhered to. The Secretary will notify Jeff Rider of the change. Signoffs will be added to the permits by the Building Inspector's Secretary. This procedure will be for all subdivisions.

The Emergency Access was discussed with the Secretary explaining that the Town Engineer has requested more information from the developer.

Medical Marijuana Bylaw Discussion

The Board went through proposed Section 26. (A) through (D). The remaining sections will be discussed at the December 14th meeting.

Additional Topics Discussed Not Noted on the Agenda

George made a motion to close the meeting at 9:03pm. Joan 2nd the motion. – Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann
Secretary
Dunstable Planning Board