



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
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Planning Board Minutes Monday, March 6, 2017

Approved: March 20, 2017

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

Municipal Stormwater Discharge General Bylaw

Jeff Rider and Michelle Stein were in attendance to discuss the draft bylaw proposed for approval at the Annual Town Meeting. The 12 page bylaw will first be reviewed by Town Counsel Brian Falk. Jeff explained that the Environmental Protection Agency (EPA) is requiring certain permits from municipalities. Dunstable previously had a waiver, however, that has expired and we now fall under the Clean Water Act and must regulate discharges of pollutants in town. Ms. Stein was hired by the Board of Selectmen to aid the town in this process. The town passed a Stormwater Management Bylaw that was adopted on May 9, 2016. The new bylaw will provide legal authority to prohibit, investigate and eliminate illicit discharges from properties not owned by the Town. The Board, as the permit granting authority will administer, implement and enforce the bylaw. What this means is that the town will be responsible to check water bodies in town and test outfalls. The Board will be working closely with the Highway Department and the Conservation Commission.

Kendall Cranberry Bog – High Street – Alan Chaney

Alan Chaney attended the meeting to request support for the purchase of 11.47 acres on High Street. The Conservation Commission will be asking residents at the Annual Town Meeting to approve the purchase subject to receiving a state LAND grant. The property has frontage on Salmon Brook which makes it a key parcel for Conservation. The price of \$200,000 will be paid for by a LAND grant (if approved) of \$120,000, Conservation Timber Funds of \$70,000 and Community Preservation Funds (if approved) of \$10,000 (taken from the Open Space designated fund). Joe made a motion that the Planning Board supports the purchase of the property at the Annual Town Meeting. Brett 2nd the motion. – Motion passed unanimously.

8 Forest Street – Peter White – Stone Wall Permit Question

Mr. White asked to meet with the Board regarding his 2011 Scenic Road permit. He explained that although he received the permit in 2011, he never started the wall. He plans on rebuilding the existing wall by replacing the stones that have fallen. He said



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he'd like to start immediately while the poison ivy is dormant. The frontage of 320' is quite large and will take him up to two years to complete. The Board discussed whether the permit can be extended. The Permit Extension Act automatically extended the permit from 2010 through 2014. Members felt that since Mr. White plans on rebuilding the wall, not replacing or removing the stones, this would constitute an improvement and therefore, they saw no need to have Mr. White go through the process of reapplying for a permit. Josh made a motion to extend the permit through March 6, 2019. Brett 2nd the motion. – Motion passed unanimously.

Alexander Estates – Bond Reduction – Gerry Welch

Mr. Welch and his engineer, George Dimakarakos were in attendance to discuss the Alexander Estates project. Mr. Welch is working towards a bond reduction and Town Meeting acceptance for Alexander Way. There was discussion on the Planning Board regulation for a topographical survey of the cut and fill analysis for each individual lot. Mr. Welch did not see the need to spend the \$10,000 to have this done. Jeff Rider said that the regulation was added years ago when the Town planned on having an updated topographical map done and that the thought was that future subdivisions could be added by using their surveys. The topo map was never completed. Jeff said that having Mr. Welch complete the topo survey would not benefit the town. Josh pointed out that by the time a topo map was prepared, the homeowner could have changed the grading of their lot and the original information would be obsolete. Mr. Welch pointed out that some of the lots aren't finished so the survey would not be able to be completed on those parcels. After the discussion, Brett made a motion to grant Mr. Welch the waiver from having to supply a topographical survey of the cut and fill analysis for Alexander Way. Josh 2nd the motion. Motion passed with George, Joe and Josh voting in favor, Joan voting against and Brett abstaining.

Mr. Welch said that he is aware that additional work needs to be done where Alexander Way joins Lake Street and that would be completed before street acceptance.

The Administrative Assistant brought up that the Conservation Commission wanted the Planning Board aware that building materials from the project have blown down onto the rail road bed. Mr. Welch said that he'd have one of his employees look at the area.

Mr. Welch said that he is working on the As-Built plan and finishing up the list of outstanding items. He is hoping to request a bond reduction of 50% of what was posted (\$115,000 & \$50,000 lot 6).



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The Administrative Assistant asked Mr. Welch the status of Lot 11. He explained that the Easement Deed was given to the Attorney for Lot 11 and that the owner of the lot is aware that the agreement needs to be signed and filed at the Registry of Deeds before a building permit will be signed by the Board.

Planning Board members questioned item #17 on Jeff Rider's letter dated December 15, 2016 which says "It appears that the driveway for Lot 7 crosses Lot 8." Mr. Welch said that his attorney assured him that this issue is between the two lot owners. Mr. Welch sold the lots to a developer who made that mistake.

Meeting Minutes – February 6, 2017

Joe made a motion to approve the meeting minutes, as submitted, from the February 6, 2017 meeting. Brett 2nd the motion. – Motion passed unanimously.

Review/Sign Bills and Payroll

Invoices for certified mail, Registry of Deeds, 53G accounts and payroll were signed.

Date of Recreational Marijuana Bylaw Moratorium

The Administrative Assistant brought up that the Cannabis Control Commission is not required to have regulations completed until March 15, 2018. If the Planning Board asked for a moratorium until June 30, 2018 that would not give the Planning Board enough time to review the state regulations to develop their own. The Board decided to ask for a later deadline of December 31, 2018.

Resignation of Planning Board Member Brett Rock

Brett resigned from the Planning Board effective May 1, 2017.

Additional Topics Discussed Not Noted on the Agenda

Motion made, 2nd and passed unanimously to close the meeting at 9:02pm.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Planning Board