



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 Monday, June 5, 2017

Approved: June 19, 2017

Prior to the opening of the meeting, Town Clerk Carol Skerrett gave George Basbanes the oath of office for his 9th term in front of members of the Planning Board. This will be George's 40th year serving the town.

Meeting was called to order by Chairman, George Basbanes at 7:30pm
Members present: Joan Simmons, Joe VLcek, Joshua Kelly and newly elected member Eric McKenzie who was sworn in by the Town Clerk after the election.
Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Election of Officers

Joe VLcek made a motion that Joshua Kelly serve as Chairman of the Dunstable Planning Board. Joan 2nd the motion. – Motion passed unanimously. George made a motion that Joan Simmons serve as Vice Chairman of the Dunstable Planning Board. Joe 2nd the motion. – Motion passed unanimously. George made a motion that Joe VLcek serve as Clerk/Secretary of the Dunstable Planning Board. Joan 2nd the motion. – Motion passed unanimously.

Building Permit – 477 Forest Street – Luis Vazquez

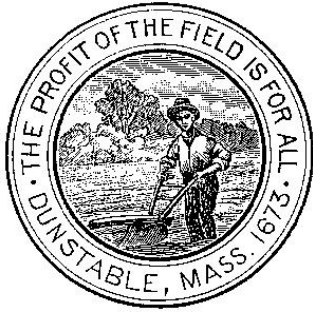
Mr. Vazquez presented a building permit for 477 Forest Street. Josh recused himself from the discussion since his firm worked on Mr. Vazquez's house plans. This parcel was previously approved as an ANR lot in December of 2015. Joe made a motion to sign the permit. George 2nd the motion. – Motion passed 4-1 with Josh abstaining.

ANR – 384 Forest Street – Christopher Bertrand

Mr. Bertrand and Mr. Wright were in attendance to have two ANR plans signed for the same parcel owned by the Bertrand Trust. The reason for the two ANRs is because the created parcels will be conveyed to different entities/different times. Mr. Bertrand explained that the first ANR, an interior lot line adjustment creates Parcel A (4,262 square feet). The second ANR subdivides the remainder of the property (35.88 acres) into two lots, one of which they plan on transferring to the Department of Fish & Game.

ANR – Lot Line Adjustment

Jeff Rider reviewed the plan and associated paperwork. Comments from Mr. Rider were issued on May 31st, addressed by Amerisite Land Survey and reviewed by Jeff again on



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June 1st. George made a motion to sign the ANR plan. Joe 2nd the motion. – Motion passed unanimously.

Plan approved: Lot Line Adjustment Plan prepared for The Bertrand Trust & Albert & Judith Wright, John & Ann Premkumar, dated May 26, 2017 by Amerisite Land Survey, LLC.

ANR – Plan of Land

Jeff Rider reviewed the plan and associated paperwork. Comments from Mr. Rider were issued on May 31st; addressed by Amerisite Land Survey and reviewed by Jeff again on June 1st. George made a motion to sign the ANR plan. Joe 2nd the motion. – Motion passed unanimously.

Plan approved: Plan of Land prepared for The Bertrand Trust & Albert & Judith Wright, dated May 26, 2017 by Amerisite Land Survey, LLC.

ANR – 448 Pond Street – Lot 6 – Kiley Brock Homes

Mr. Brock presented an ANR subdividing a lot that was originally split in 2016. Lot 6 was subdivided and approved as a backland lot (Special Permit). Mr. Brock explained that an abutter (John Dow) had approached him to ask if he would convey 1.30 acres of Lot 6 to him to add to his existing lot. This plan creates that parcel (A). The remainder of Lot 6 is now identified as Lot 6A with 8.46 acres. The change to the plan requires a modification of the Special Permit which will be addressed at the June 19th meeting. Jeff Rider reviewed the submission and made comments in a letter dated May 18, 2017. One comment made was that although reason 2a was cited as proof that the plan was an ANR and not a subdivision, Jeff felt that reason 3 was a better choice since what is proposed is a conveyance which adds to/takes away from/changes the size and shape of a lot. George made a motion to endorse the ANR. Joe 2nd the motion. – Motion passed unanimously.

Plan approved: Plan of Land in Dunstable, Massachusetts, Kiley Brock Homes, LLC, 112B Boston Rd, Groton, MA by Ducharme & Dillis, dated May 1, 2017

Occupancy Permit – 56 Alexander Way – Lot 10 – Mike Bushnell

Mr. Bushnell provided a Sewage Disposal Plan showing the infiltration system he installed at 56 Alexander Way. He also forwarded pictures of the gutter system on the house. Joe made a motion to sign the Occupancy Permit for 56 Alexander Way – Lot 10. George 2nd the motion. – Motion passed unanimously.

Alexander Way

Mr. Welch and his attorney Douglas Deschenes attended the meeting to discuss the return of the road bond, release of Lot 6 and the maintenance bond.



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Infiltration System – Lot 6

A copy of the Sewage Disposal System as well as pictures of the gutters on Lot 6 was provided. Joe made a motion that the system was installed per the plan. George 2nd the motion. – Motion passed unanimously.

Bond Release/Maintenance Bond/Performance Mortgage, Form K & Occupancy of Lot 6

Attorney Deschenes explained that to assure completion of the roadway the Planning Board required Mr. Welch to place a \$50,000 Performance Mortgage on Lot 6 and submit a cash bond of \$115,000. Mr. Welch is asking for release of Lot 6 from the covenant/mortgage and a return of the road bond. Jeff Rider was asked for his thoughts on this. Jeff said that he is comfortable that the submitted as-built plan shows that the roadway and drainage are built per the approved subdivision specifications.

The Maintenance Bond was discussed with Jeff suggesting an \$11,500 bond. Two of the Board of Road Commissioners in attendance said that it would cost the town more money to plow if Mr. Welch reneges on the agreement to maintain the roadway until it is accepted at Town Meeting. Jeff said that the development is about 98% complete with minor items remaining such as removing hay bales and utility conduit. Joe brought up that a few of the trees Mr. Welch planted do not look like they'll make it. Joe said that he was comfortable releasing lot 6 and returning most of the road bond but believes that \$11,500 isn't enough to insure that the developer finishes the project. He said that a \$30,000 maintenance bond would allow the town to maintain the roadway for longer than a year if for some reason it isn't accepted by the town right away.

Joe made a motion to release the Performance Mortgage and Form K Release on Lot 6. George 2nd the motion. – Motion passed unanimously.

Joe then made a motion to sign the Occupancy Permit for Lot 6. George 2nd the motion. – Motion passed unanimously.

Joan made a motion to release the \$115,000 Performance Bond and require a \$30,000 maintenance bond. George 2nd the motion. – Motion passed unanimously. Mr. Welch and his attorney requested that instead of releasing the \$115,000 and requiring a check for \$30,000 that \$85,000 is returned to Mr. Welch and the remaining \$30,000 be held as a maintenance bond to be released if/when Mr. Welch fulfills his obligations to the town.



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Joan asked about the additional 986 cubic yards of material that was removed from the site. Jeff explained that that was due to a different house design than was originally planned. Mr. Welch said originally the house was to have an attached garage but the homeowner decided on a garage under the house.

As-Built

George made a motion to accept the as-built plan on the recommendation of Town Engineer Jeff Rider. Joe 2nd the motion. – Motion passed unanimously.

Form L

Attorney Deschenes said that he would send the form to Attorney Falk electronically for his review. This will be ready prior to when the road is accepted at Town Meeting.

Meeting Minutes – May 15, 2017

George made a motion to approve the meeting minutes, as submitted, from the May 15th meeting. Joan 2nd the motion. – Motion passed unanimously.

Review/Sign Bills and Payroll

Two 53G account invoices and a bill for Eric's nameplate were signed as well as the payroll.

Additional Topics Discussed Not Noted on the Agenda

Community Preservation Committee Member

Joan nominated George to remain as the Planning Board representative on the Community Preservation Committee. Joe 2nd the motion. – Motion passed unanimously.

George made a motion to close the meeting at 8:56pm. Joe 2nd the motion. – Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Planning Board