



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, January 17, 2023**

Approved: February 6, 2023

Chair Jeff Pallis called the meeting to order at 6:30pm  
Members present: Alan Chaney Joan Simmons, and Jim Wilkie  
Member absent: Joe Vlcek

**Trees Discussion – 468 Forest St., Francis Rivera,**

Mr. Rivera presented some recent history of falling branches and the general health of two deciduous trees (a silver maple and scarlet oak) near the road which he feels are a hazard to utility lines, his house and property. He's had an arborist assess and agree that for their age and size, they will continue to drop branches and could be a fall risk in the future. He's seeks to have these two trees removed at his own expense to avoid future problems. He understands our scenic road bylaws and notes he will replant new trees to replace them if the Planning Board and Tree Warden, Mike Martin, offer approvals to have them removed.

Members of the board asked questions and offered comments to both Mr. Rivera and Mr. Martin who was in attendance. Discussion continued around the shade tree law, tree health given leaf spread and the two trees involved being outside of the town's road right of way.

The Board doesn't feel they have the jurisdiction to oppose the tree removal given the two trees are out of the right of way. They advised Mr. Rivera to speak to his neighbors and notify them of his intention to have the trees removed.

**Storm Water Permitting, Inspections & Fees – Hoyle Tanner, Town Engineer,**  
**David Langlais**

David requested this meeting with the board and provided supporting documentation with notes of his cursory review of Dunstable's storm water control bylaws and regulations and shared his role with regard to such as our town engineer. Given the transitioning town administration over the past year, he noted Dunstable's municipal small storm water system (MS4) requirements plan is delinquent and he is working with our new Town Administrator, Jason Silva, to provide what is required by the state.



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

He reviewed supporting documentation emailed ahead to the board and brought attention to:

- 1) Planning Board (PB), through the existing town bylaws and regulations, are in charge of overseeing storm water related permits and sites.
- 2) PB has the authority to have a designee to oversee the storm water permitting requirements and act as the town's storm water designated agent. The agent must be recommended by the PB and requires approvals by the Select Board. The agent can be another town department, an independent party or the town engineering firm.
- 3) There is some confusion around the existing town documents: *Stormwater Management and Erosion Control Bylaw* and *Stormwater Management and Erosion Control and Post Construction Bylaw*. These two documents are very similar with large sections being carbon copies of each other, but there are slight differences. For example: The Stormwater Permit Fees cover administrative and engineering review fees but do not mention inspection fees. Tier I and II land disturbance reviewing is a subset of the special permit process but the existing land disturbance permitting documentation doesn't mention the inspections required along with it and the costs being passed along to the applicant.

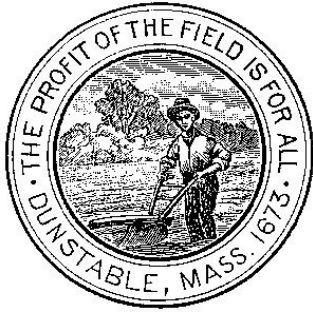
David noted that with regard to storm water regulations, Dunstable should be having quarterly meetings with the town engineer, highway/roads, a Conservation Commission and Planning Board representative/member to ensure the town is meeting reporting requirements. The town needs to be reporting on the number of site plan reviews, inspections completed, and enforcement actions taken.

David and Hoyle Tanner are offering to act as our storm water designated agent, as well as to help straighten out the language of our regulations, and the fee structure associated with storm water review/inspections.

Discussion ensued on a few prior projects in town and related permitting around land disturbance.

As it pertains to a single family house being built on a backland lot, Joan highlighted that our town bylaw appears to go beyond the state requirements.

- Alan made a motion to appoint Hoyle Tanner, and David Langlais, as our Storm Water agent designee to help enforce town rules and to submit their name to the Select Board for approvals. Jim 2nd the motion. – Motion passed unanimously.



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

- Alan made a motion to have Hoyle Tanner review and evaluate the town's Stormwater regulations and associated fees to make recommendations back to the Planning Board. Jim 2nd the motion. – Motion passed unanimously.

David noted we will need a member from the Planning Board as well as Conservation Commission to join the quarterly Stormwater Committee which meets again in April.

**Approval of Meeting Minutes of January 3, 2023**

- Alan made a motion to approve the meeting minutes of the January 3rd meeting, as submitted. Jim 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Bills/Payroll**

- Alan made a motion to sign off on payroll. Jim 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Cellular Tower Antenna Modifications – 583 Pleasant Street**

After earlier email exchanges from the Planning Board, an additional email has been received from the T-Mobile telecommunications contractor, Centerline Communications. They note that given the 6409 FCC regulations ("Spectrum Act") the town's Special Permit requirements should not be required for them to make the cellular antenna modifications planned.

The email with letter have been forwarded to our town counsel for interpretation and guidance.

**Upcoming Notice of Intent Public Hearing – 125 Thorndike Street**

The Dunstable Conservation Commission will hold a public hearing on January 23rd to hear a presentation for a Notice of Intent to put in a driveway, septic and single-family house.

Alan made a motion to close the meeting at 8:20pm. Joan 2<sup>nd</sup> the motion. – Motion passed unanimously.



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](mailto:planning@dunstable-ma.gov)

The next scheduled meeting will be Monday, February 6, 2023 at 6:30pm in the town hall.

Respectfully submitted,

Carol A. Rock  
Administrative Assistant  
Dunstable Planning Board

APPROVED