



**OFFICE OF THE
PLANNING BOARD**

TOWN HALL, 511 MAIN STREET
DUNSTABLE, MA 01827-1313
(978) 649-4514 FAX (978) 649-8893
<mailto:Planning@dunstable-ma.gov>

**Planning Board Minutes
Monday, August 7, 2023**

Approved: August 21, 2023

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

Meeting held: At the Dunstable Town Hall, 511 Main Street, lower level

Scenic Roads Hearing – Mill Street, Map 11-49-2, Amy Flynn & Dan Akins

Jeff opened the hearing at 6:30pm with the Clerk reading the posted hearing announcement. Applicant Amy Flynn and partner Daniel Akins were present along with the Tree Warden/Roads Commissioner, Mike Martin, and members of the community.

Mr. Akins shared that the intent of opening 25' of the stone wall on Mill Street was for the future construction of a single-family home on a backland lot. A formal plan for the new driveway entrance created by NDS, Inc., was included with the application and presented along with photographs of the proposed opening area. They'd positioned the driveway location to minimize cutting of trees on the property. Mr. Martin had visited the location and offered his approvals noting no trees greater than 5" width along the roadside right-of-way were present to be cut.

Jeff inquired about the existing walls and the owner's intention. Mr. Akins shared that all fieldstone removed from the roadside wall would be repurposed for the sides of the driveway entrance. It was their goal to minimize impact to the area with limited if any small tree removal needed. He noted they planned to reuse all stone wherever possible from within the property – where additional stone walls existed.

Jim inquired about the length of time expected for the project. Mr. Akins was uncertain and deferred to the Board, reiterating it was their goal to retain the look of the existing walls.

Joe made a motion to approve the altering of the stonewall on Mill Street, Map 11-49-2 with the following conditions:



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1. An opening no greater than 25 feet may be made in the existing stone wall.
2. The stones used in the alteration of the wall shall be used in the rebuilding of the wall along both sides of the road/driveway for at least 10 feet on each side.
3. The remainder of the wall along that portion of the lot along Mill Street shall be built up to a height of no less than the existing wall and a width of no less than the existing wall.
4. In keeping with the current appearance, only natural field stones, without mortar, shall be used in the reconstruction of any wall along street and along the driveway.
5. No living trees greater than 5 inches in width may be cut or removed without the approval of the Tree Warden and Planning Board.
6. No further alteration or work, except as permitted above, shall be performed without the authorization of the Planning Board.
7. Work shall be completed within 24 months of the date of this permit unless the homeowner requests an extension of the permit in writing to the Planning Board and such Board approves the extension.
8. Board requests that the applicant send a photo when the project is completed.

Jim 2nd the motion. – Motion passed unanimously.

Scenic Roads Public Hearing Continuation, 47 Thorndike St – Benjamin Moore

Jeff reopened the hearing, commenced previously on June 20th, at 6:45pm. The property owner, Mr. Benjamin Moore, was present along with Tree Warden/Roads Commissioner Mike Martin and members of the Community.

Mr. Moore handed out clearer pictures of the property's wall area to support his application and a narrative letter sent previously and as requested by the board during his original hearing.



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Mr. Moore had opened a portion of the stone wall without authorization from the Board in order to get construction materials and excavation machinery onto the property which would not fit through the existing driveway entrance. Mr. Moore reiterated it was intended to be a temporary opening and he was in discussions with a mason who had recently worked on a nearby property about reconstruction of the wall when needed in the future.

Joe inquired about timing for reconstruction of the wall repair. Mr. Moore indicated it would likely be by next Spring-Summer or within 12-18 months of its opening.

Joan made an inquiry about the planned look for the wall reconstruction. Mr. Moore noted an intention to match the existing look alongside the roadway. He shared that it would not look like the more modern, cement mortared style of the current entranceway to the drive – which was likely constructed before the town had the Scenic Roadway bylaw rules. Mr. Moore committed to matching the original wall, utilizing the existing fieldstone and making additional repairs to address fallen stones only.

Jim noted the importance of maintaining the existing texture of stone and look in order to support the intent of the Scenic Roads bylaw. The key being the use of existing stone from a field and construction as such to not necessarily require beautiful stacking. The key is to maintain it to keep the current look and feel throughout the town. Mr. Moore understood and challenged the Board to be able to identify the area of break made after the repairs were made in the future.

Mr. Moore also noted an intention to potentially repair the existing mortared stonewall at the entrance to the driveway and it was noted it would be "in kind".

Joe made a motion to authorize the temporary altering of the stonewall at 47 Thorndike Street, with the following conditions:

1. An opening no greater than 25 feet may be made in the existing stone wall.
2. The natural field stones removed in the alteration of the wall shall be reserved and reused in the rebuilding of the wall.
3. In keeping with the current appearance, only natural fieldstones, without mortar, shall be used in reconstruction of the wall along the street.



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4. The remainder of the wall along that portion of the lot along Thorndike Street shall be built up to a height of no less than the existing wall and a width of no less than the existing wall.
5. No further alteration or work, except as permitted above, shall be performed without the authorization of the Planning Board.
6. Wall restoration work shall be completed within 18 months of the date of this permit unless the homeowner requests an extension of the permit in writing to the Planning Board and such Board approves the extension.
7. Board requests that the applicant send a photo when the project is completed.

Joan 2nd the motion. – Motion passed unanimously.

Meeting Minutes – July 17, 2023

Jim made a motion to approve the minutes of the July 17th meeting. Joan 2nd the motion. – Motion passed unanimously.

Bills and Payroll

No bills.

Joe made a motion to sign off on payroll. Jim 2nd the motion. – Motion passed unanimously.

Town Center District Bylaw SECTION 22 C 7. Uses Discussion

Joe and Joan had collaborated together on potential wording for a new additional use to the existing Town Zoning Bylaws, Section 22. Town Center District, Section C. 7 'Uses Permitted by Special Permit'. Joe presented to the Board for consideration three potential options.



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The Board discussed bylaw addition description wording which would allow conversion of existing buildings for use in retail sales of both wine and alcohol for off-premise consumption. After some discussion, including input from the community members in attendance, the Board determined together their preferred wording on an additional use.

Joe made the motion to present the following as an addition to the Town's Zoning Bylaws SECTION 22. TOWN CENTER DISTRICT, C. "Uses Permitted by Special Permit:" to Town Counsel for his comment and recommendations:

"Conversion of existing buildings for the sale of alcohol products for off premise consumption to be limited to one establishment in the TCD. The sale of nips (spirits sold in the volume of 2oz. or less), cigarettes, and lottery tickets are prohibited."

Joan 2nd the motion. – Motion passed unanimously.

Additional Topics Discussed Not Noted on the Agenda

North Middlesex Council of Government Meeting

Jim shared some feedback from his attendance at his latest NMCOG meeting. He noted the Council is reviewing a 30-year Lowell Regional Transportation Authority (LRTA) long-range transportation plan for Northern Middlesex County that is forthcoming for community comments. It's all encompassing and not only about trains, buses and roadways but bridges and biking, etc. as well. He will email forward a link to the Board on the 230+ page document.

Joe made a motion to close the meeting at 8:07pm. Jim seconded the motion. – Motion passed unanimously.

The next scheduled meeting is Monday, August 21st, 2023 at 6:30pm.

Respectfully submitted,

Carol A. Rock
Administrative Assistant Dunstable Planning Board