



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

Meeting Held via Zoom
Meeting held virtually through Zoom, Zoom ID 836 7545 2176

Planning Board Minutes
Monday, September 21, 2020

Approved: November 2, 2020

Chair Joe VLcek at 7:30pm, called the meeting to order.
Members present: Joan Simmons, Jeff Pallis and George Basbanes
Town Engineer: Dennis Unger
Meeting held: Virtually through Zoom

Member Resignation

The Board discussed Henry Fontaine's resignation and the need to find a replacement as soon as possible.

ANR – Mill Street – Archer Davis Jr. and Alan Davis

Jeff Hannaford from Norse Design presented the ANR for approval. Joe VLcek disclosed that he is an abutter to the property but since he participated in the discussion for the Davis' previous ANR, he did not see this as a problem. Mr. Hannaford told members that at the end of last year, the Davis' received approval for an ANR plan. Now they are before the Board to move a lot line between lots 1 & 2, giving additional frontage to lot 1. No creation of new lots. In a letter dated September 17, 2020, the Town Engineer said that the plan complied with the requirements of Section II B. Plans Believed Not to Require Approval. George made a motion to endorse the ANR. Jeff 2nd the motion. – Motion passed unanimously. Plan approved: Plan of Land Mill Street, Dunstable Massachusetts prepared for Archer H. Davis Jr. and Alan S. Davis, 107 Mill Street by Norse Design Services, Inc, Job 6035, dated September 10, 2020.

Discussion on Completeness of Site Plan for Marijuana Cultivation Business - Gath – 48 Valley Street

Town Engineer Dennis Unger reviewed the Special Permit application for the proposed Marijuana cultivation business at 48 Valley Street. In his letter dated September 16, 2020, Mr. Unger made recommendations relating to the application package. In addition, an "existing conditions plan" was submitted, not a Site Plan as required in Section 30.F(2) of the Zoning Bylaw. Mr. Unger found that the "Special Permit package was not complete at this time because the plan submitted does not meet the minimum requirements of a Special Permit Site Plan". John and Gerald Gath attended the meeting to discuss the Town Engineer's letter. The Board told the Gath's that they have two options; one being to request a withdrawal without prejudice and resubmit the entire package when it is complete, or go ahead with the hearing scheduled for October 5. If they chose to go ahead with the hearing, they may need to hire a licensed design engineer to work on the application's deficiencies. John Gath told members that he would have his engineering firm work with Mr. Unger to revise the plan and supply the missing information. Although the hearing will open on October 5, the Gath's may need to request a continuation if the Planning Board does not receive all the information requested in Mr. Unger's letter.

Discussion on Large-Scale Cannabis Cultivation Facilities in R1 Districts

Joe asked Board members how they felt about the September 8 discussion on large cannabis cultivators in the R1-Residential zone. Joan said that she was against revising the Zoning Bylaw to allow large-scale marijuana cultivators in the R-1 Residential zone until she sees how the Tier 1 businesses work out. Wellman Farms asked the Board to consider revising the bylaw to allow a Tier 10 business in the R1. She went on to say the B3 District allows for Tier II and larger, but Wellman Farms does not want to do the work to put the business in



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

the appropriate zone. Joe agreed with Joan saying that the town does not have experience with marijuana cultivators and how their businesses will impact the town. George agreed that Joan made a good point. Although larger businesses would bring money into the town, we need to see how the smaller growers do. Jeff said that he likes the idea that businesses would bring revenue into town, but is concerned they could also bring in trouble. All agreed to look at the date once the Tier 1 businesses are operational. Selectmen Kieran Meehan said he is comfortable with the Board's position on waiting and seeing how Tier 1 businesses work with security, traffic, etc.

Joe Shelzi (Wellman Farm) said that although Dunstable does not have a lot of experience with marijuana cultivators, the State of Massachusetts does. He said that as far as the B3 zone is concerned, access is only through Tyngsboro and many trees would need removing. The property they chose is farmland with tillable soil and water on site. He went on to say that, marijuana businesses are very prohibitive and the Board could write the bylaw to preclude many properties. Mr. Shelzi asked the Board to keep in mind that the business would bring taxes to town and jobs. He felt the benefits would far out way the risks.

Joe said that the Board would like to move slowly. Dunstable is a farming community but the Board will not be ready to move forward for May 2021 Annual Town Meeting with revisions to the bylaw. There is a lot of education needed. The Board would like to see what challenges other towns have had with outdoor cultivators. He said that the Town took a big step when they approved the existing bylaw. Joan said that Dunstable is a small town, marijuana is still illegal on the federal level and the town has been at the forefront by allowing cultivation in town. We just want to see how that all works out.

Mr. Shelzi asked if the Board would be interested in a microbusiness which would allow his company to grow, manufacture and deliver (with approval of the state) product. The Board said they would need additional information on that type of business.

Meeting Minutes of September 8, 2020

Joan made a motion to approve the minutes of the September 8, 2020 meeting, as submitted. Jeff 2nd the motion. – Motion passed unanimously.

Payroll

Jeff made a motion to sign the payroll. Joan 2nd the motion. – Motion passed unanimously.

Additional Topics Discussed Not Noted on the Agenda

None

George made a motion to close the meeting at 9:28pm. Jeff seconded the motion. – Motion passed unanimously.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Planning Board