



OFFICE OF THE
PLANNING BOARD
TOWN HALL, 511 MAIN STREET
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Meeting Held via Zoom

Meeting held virtually through Zoom, Zoom ID 863 0300 9208

Planning Board Minutes
Monday, October 5, 2020

Approved: November 2, 2020

Chair Joe VLcek at 7:32pm, called the meeting to order.
Members present: Joan Simmons, Jeff Pallis and George Basbanes
Town Engineer: Dennis Unger
Meeting held: Virtually through Zoom

Scenic Road Hearing – 328 Pond Street – Justin Quinn and Cynthia Staples-Quinn

Joe opened the hearing at 7:32pm. Mr. Quinn and Ms. Staples-Quinn attended. Ms. Staples-Quinn told members that in order to get large logging equipment into their field, they need to remove four pine trees that are in the way. No stonewalls need to be removed. Jeff made a motion to grant the request to remove the trees along 328 Pond Street. George 2nd the motion. – Motion passed unanimously.

Special Permit Hearing – Gerald Gath – Tier 1 Marijuana Cultivator

Joe opened the Special Permit hearing at 7:39pm and laid out the procedure for the hearing. The Administrative Assistant read the legal notice published in the newspaper. John, Martha and Gerald Gath attended the hearing. John Gath presented the Plan of Land and sketches of the proposed interior of the head house. Mr. Gath then went through his Special Permit application for a Tier 1 Marijuana Cultivation facility including an overview, proposed security measures, electronic security systems, points of entry, lighting, perimeter security, greenhouse cover, operations, growing methods, marijuana storage, fire prevention, employees, parking and signage. Two gates will be added at both entrances to the property. Mr. Gath said that they plan to grow the biodynamic way using 100% sunlight. Product will grow in two parallel greenhouses with the head house used for business operations and storage. Mr. Gath mentioned that he would like to install an 8-foot fence inside the greenhouses (instead of around the outside of them) however; he indicated that the State Cannabis Commission and Chief Dow would need to sign off on that. The Gaths will hire a consulting firm for the first year who will help with growing and product marketing. Mr. Gath said the owners of the business would remain the same, family owned.

When asked, the Town Engineer Dennis Unger commented that the applicant did not meet all of his concerns. In his September 16, 2020 letter, he explained that *"The 'plan of land' for 48 Valley Street' dated June 29, 2020 that accompanied the Special Permit Application appears to be an existing conditions plan and does not appear to be a 'Special Permit Site Plan' as defined in the Zoning Bylaw Section 14, Site Plans."* He felt that review of the project could not move forward until the Gaths present an engineered stamped site plan.

Joe asked if any Board members had questions or comments. Joan voiced concern about locating a fence inside the greenhouse and the damage someone could cause to the greenhouse. She said that she did not have a problem with the project once the applicant addressed the Town Engineer's comments.

Jeff mentioned that the property line behind the greenhouses seemed close. Mr. Gath said that there is an old logging road on the neighbor's property. Jeff asked if the Gaths were using a "black out technique" in which Mr. Gath said, "no". Jeff said he is in favor of the project but asked whether the neighbors had been informed



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about the change in business. Mr. Gath said they had a community meeting and abutters were notified as part of the Special Permit process. He said the Lees and Atwood's (direct neighbors) were supportive.

George indicated that he believes he could support the project once the Town Engineer's concerns were addressed.

Joe asked the Administrative Assistant to read letters or emails that came in, whether for or against the project.

- a. Conservation Commission – "no issues with wetlands."
- b. Fire Chief – "no comments. Fire Department will be following the process and life safety and fire codes relevant to the project."
- c. E-mail from Frank King – "In regards to this permit, I object. The issue I have is Forest Street is not wide or sturdy enough to handle heavy-duty tractor-trailers or other large heavy-duty trucks. If it is his intention there will be a maintenance cost to maintain these roads above regular repairs and the cost should be borne by the applicant as long as the operation is there, also I believe access should be restricted to Red Gate Road only for all traffic to and from to prevent accidents, etc."

Joe asked if anyone in attendance had comments or concerns. Erin Sears asked:

1. About camera systems and lighting. Mr. Gath said cameras and lights would point at the doors.
2. She expressed support for the idea of fencing around the interior of the greenhouses.
3. About odor. Mr. Gath said they would have a filtration system with hepa filters to mitigate the odor, however, said they may smell a slight odor for a couple of weeks.
4. About people entering the wrong property. John said that they will not have retail customers and trucks will be far less than Amazon trucks coming through now. They will also have signage.

Joe told the Gaths that members of the Planning Board feel strongly that a Site Plan is necessary, as it is a requirement in the Special Permit Rules and Regulations. Mr. Gath believed that because he was changing a crop, not constructing a building one was not needed but now understands that he must present one for review.

The Gaths were given the choice to request a continuation or request to close the hearing. The Gaths asked for a continuation. Joan made a motion to accept the continuation. George 2nd the motion. – Motion passed unanimously.

Joan – yes to accept continuation	George – yes to accept continuation
Jeff – yes to accept continuation	Joe – yes to accept continuation

The Administrative Assistant told those at the hearing that the date of the continuation will be published on the Planning Board agenda once Mr. Gath is ready to proceed. Anyone wanting to attend can either look weekly at the agenda or email the office to be notified.

Meeting closed at 9:01pm.

Respectfully submitted,

Cheryl A. Mann
Administrative Assistant
Dunstable Planning Board