



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: 876 8345 5967

**Planning Board Minutes  
Monday, April 12, 2021**

Approved: May 3, 2021

Chair Joe VLcek at 7:30pm, called the meeting to order.

Members present: George Basbanes, Joan Simmons, Jeff Pallis and Dave Greenwood

**Vote to Layout Route 113**

Eric Carlson from the BSC group attended. Mr. Carlson forwarded the plans of Rte. 113 to the Board for review. He explained that the process of repairing the road required the Planning Board's review of the plans and their request of the Board of Road Commissioners to lay out the road. Joan made the following motions:

- a. *To approve the layout of historic Main Street areas not clear on town and county plans and ask the Board of Road Commissioners to lay out the way;*
- b. *To approve the layout of the new areas being added to the right of way as part of the Route 113 project and ask the Board of Road Commissioners to lay out the way.*

Plans titled: Right-of-Way Plan of Land Showing Proposed Town Layout – dated April 9, 2021 and Right-of-Way Plan of Land Showing Proposed Town Layout Alterations & Associated Easements” – dated April 12, 2021

George 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Approval of Meeting Minutes of March 15, 2021**

Joan made a motion to approve, as submitted, the minutes from the March 15, 2021 meeting. George 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Approval of Meeting Minutes of April 5, 2021**

Jeff made a motion to approve, as submitted, the minutes from the April 5, 2021 meeting. Joan 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Bills/Payroll**

No bills. Jeff made a motion to sign payroll. George 2<sup>nd</sup> the motion. – Motion passed unanimously.

**Special Permit Continuation – Whole Sun Farms LLC – Gath – 48 Valley Street**

In attendance: John Gath, Town Engineer for Project Jeff Rider, Tiffany Naughton, pk, Mike Martin, Gerald Gath and Doug Lee (Engineer for applicant). Mr. Gath stated that since the last meeting, he made changes to the site plan including adding topography and relabeling items. His engineer Doug Lee worked with the Town's engineer Jeff Rider over the past couple of months in order to modify the plan. Mr. Gath said that he also added more information to the narrative. The Board asked about the interior fencing, in which Mr. Gath said that the Marijuana Commission and Chief of Police would need Dunstable Planning Board Minutes – April 12, 2021



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to approve the security measure. Jeff Rider said that based on the last site plan submitted, Whole Sun Farms LLC met all the criteria for the Planning Board to grant the Special Permit. No one from the public had any questions or comments. The Board reviewed the requested waivers. Jeff Rider stated in his April 5, 2021 letter "given the minimal changes in the site, and low level of traffic expected to be generated by the operation, if the Board is inclined to approve the application, it should also consider granting the requested waivers." Jeff Pallis made a motion to grant all seven of the requested waivers. George 2<sup>nd</sup> the motion. – Motion passed unanimously. Joan made a motion to close the hearing. George 2<sup>nd</sup> the motion. – Motion passed unanimously. Dave made a motion to grant the Special Permit under Section 30 – Recreational Marijuana Establishment with approved waivers, conditions and findings. Joan 2<sup>nd</sup> the motion. - Motion passed unanimously. George –yes, Joan –yes, Jeff –yes, Dave –yes and Joe –yes

**Findings and Determinations:**

Following the hearing, the Planning Board made the following specific findings and determinations regarding the land in question and the proposed use.

1. Above-mentioned lot met the provisions listed in the Zoning Bylaw under Section 30. Recreational Marijuana Establishments for a Tier 1 Marijuana Cultivator.
2. The proposed construction or use is consistent with the general purposes of the Zoning Bylaw. A Tier I Marijuana Cultivator facility is allowed, by special permit approval, in a R-1 Single Family Residential District under Section 30.
3. The proposed construction or use will not impair the integrity of the district and adjoining districts. The site is a 3.63-acre lot currently operating as a horticultural business. The two existing greenhouses will be upgraded to meet local building codes and ensure compliance with the Massachusetts Cannabis Control Commission. The existing barn will be used as a work area, office space, for equipment and storage. No new structures will be built. The greenhouses and barn (1,585 sq.ft.) are set back approximately 340 ft. from Valley Street. Vehicles delivering supplies and picking up product will visit the property on occasion.
4. The proposed construction or use will not be detrimental to the health and welfare of the occupants and users thereof, and citizens of the Town based upon the conditions of approval set for below and information listed in the Special Permit application dated March 22, 2021. Plants will grow inside of a secured facility with the greenhouses covered in a white opaque film to block views. The facility incorporates physical security elements, electronic security systems, and procedures to provide a comprehensive integrated secure environment. Safety lighting will be properly installed throughout the interior and exterior. The facility will have a fire suppression system. The driveway to the facility will be equipped with a locking security gate, closed and locked after hours. Security measures proposed are designed to protect the premises, Whole Sun Farm Agents and the public.



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Whole Sun Farm LLC will not house, store, apply or allow into the facility any pesticide or similar substance that is not in compliance and approve for use on marijuana by the Massachusetts Department of Agricultural Resources ("MDAR").

Whole Sun Farm LLC is committed to cultivating organic, healthy, high-quality disease-free marijuana and will utilize Best Management Practices for the prevention and treatment of contaminants using the safest and least invasive means.

5. The proposed construction or use will not be detrimental to the value of nearby property based upon the conditions of approval set for below. The Tier 1 facility will be located away from Valley Street on a 3.47-acre parcel approximately 340 ft. from the street. A sign, "Whole Sun Farm" will be made of wood and have a natural farm look, no bright colors. No lighting of the sign. There will be no visual implication from Valley Street. Greenhouse #2 will be reduced by 12 ft. to meet Zoning setback requirements. An 8ft. x 20ft. shed to store equipment will be screened from view with Arborvitaes.
6. The Board determined that the application and the Plans comply with the Design Criteria set forth in Section 30 of the Zoning Bylaw with regard to the minimum criteria and limitations for approval of a marijuana cultivation establishment.
7. The Board determined that the application and the Plans comply with the requirements of Section 30 Recreational Marijuana Establishments of the Zoning Bylaw.

### **Waivers Approved**

Section 3.05 Traffic Impact – waiver requested as the current horticultural retail business that occupies the property has hundreds of customers every season, which will be ending as part of this project. The only vehicles that will be on the property in the future will be employee vehicles, truck deliveries and wholesale product pickup.

Lighting – waiver requested as additional lighting fixtures will be added per the security plan to support the outside cameras. All doors on the Head House and Green Houses will have 2-stage motion activated floor lights overhead of 100 watts or greater. The exterior lighting requirements will be reviewed by the Dunstable Police Chief as part of the detailed security plan thus not included on the existing site plan.

Grading– waiver requested because no construction or additions will be taking place that expand the footprint of the existing buildings.

Drainage Calculations – waiver requested because no construction or additions will be taking place that expand the footprint of the existing buildings.



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Landscaping Plan – waiver requested since greenhouses, buildings and driveways are all existing with existing landscaping on site. No additional landscaping proposed.

Section 3.07 Miscellaneous Information – waiver requested to provide copies of all variances and Special Permits issued for the site or any properties within 300 feet.

Town Control System – waiver requested from tying the Site Plan to the Town's Control System

**Conditions of Approval:**

- a. If the Massachusetts Cannabis Control Commission approves interior security fencing, the applicant/licensee must provide a letter from the Chief of Police of Dunstable that he has reviewed and also approved the security plan and lighting for the business, before a building permit is issued.
- b. If the Massachusetts Cannabis Control Commission does not approve the interior security fencing, the applicant/Licensee must request an alternative security provision for approval by the Cannabis Commission. In addition, the applicant/licensee must submit and wait for review by the Planning Board a detailed security plan by a licensed and state approved security company before a building permit issued.

**Plan approved:** Site Improvement Plan in Dunstable, Massachusetts – #48 Valley Street – prepared for John Gath by Land Engineering & Environmental Services, Inc. dated January 8, 2021 with a revision date of March 17, 2021.

**Narrative:** Special Permit Application for Tier 1 Marijuana Cultivation Facility dated March 22, 2021

**Topics Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting**

George made a motion to close the meeting at 8:12pm. Jeff 2<sup>nd</sup> the motion. – Motion passed unanimously. The next scheduled meeting will be on Monday, May 3, 2021 at 7:30pm.

Respectfully submitted,

Cheryl A. Mann  
Administrative Assistant  
Dunstable Planning Board