



*OLD VALUES - NEW HORIZONS*  
**COMMUNITY DEVELOPMENT**

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**Planning Board Draft Minutes**

May 18, 2022

7:00 pm at Community Development Meeting Room  
3 North Lowell Road

**Attendance:**

Chair Tom Earley, Excused  
Vice Chair Jennean Mason, Present  
Derek Monson, Present  
Jacob Cross, Present  
Matt Rounds, Present  
Alan Carpenter, Excused  
Joseph Bradley (alternate), Present, seated for Chair Earley  
Dave Curto, (alternate), Excused  
Pam McCarthy, (alternate), Present, seated for Mr. Carpenter  
Daniel Spalinger (alternate), Present  
Bruce Breton, Board of Selectmen ex Officio, Present  
Alex Mello, Planner, Community Development, Present  
Christopher Sullivan, Assistant Planner, Present  
Renee Mallett, Minute Taker

The meeting opened at 7:16pm with the pledge of allegiance and the introduction of members.

**Mr. Rounds made a motion to approve the minutes of 4-20-22 as presented. Mr. Monson seconded. 4-0-3, the motion passed with the following vote, with Mr. Cross, Mr. Bradley, and Ms. McCarthy abstaining as they were not present for the meeting:**

**Vice Chair Mason, aye  
Mr. Monson, aye  
Mr. Cross, abstain  
Mr. Rounds, aye  
Mr. Bradley, abstain  
Ms. McCarthy, abstain  
Mr. Breton, aye**

**Case 2022-03 – 1 & 7 Indian Rock Road (Parcels 11-A-450 & 11-A-500); Major Final Site Plan; Final Subdivision, and WWPDP Special Permit; Zone – Village Center District**

43 Mr. Dubay said items generated from feedback given at the last hearing on this case were still being  
44 worked on, including the replacement of the pocket park, and the applicant is asking for a continuance in  
45 order to finalize the plans.

46  
47 **Mr. Monson made a motion to continue Case 2022-03 to 7pm on June 15<sup>th</sup>. Mr. Cross seconded**  
48 **the motion. 6-0-1, the motion passed with the following vote, and Mr. Rounds abstaining because it is he**  
49 **said it was a disservice to residents to continue a case so many times.**

50 **Vice Chair Mason, aye**  
51 **Mr. Monson, aye**  
52 **Mr. Cross, aye**  
53 **Mr. Rounds, abstain**  
54 **Mr. Bradley, aye**  
55 **Ms. McCarthy, aye**  
56 **Mr. Breton, aye**  
57  
58

59 **Case 2022-11 – 47 Enterprise Drive (Parcel 11-C-100); Major Final Site Plan,**  
60 **Wetland and Watershed Protection District (WWPD) Special Permit, and WPOD**  
61 **Site Plan/Subdivision Application**

62  
63 Mr. Dubay, representing the applicant, said since the last time this case was heard it had gone  
64 before the Conservation Commission. He updated the board as to other items that were in progress,  
65 including cleaning up the driveway entrance and reducing WWPD impact. Mr. Bradley confirmed that  
66 schools were an allowed use for this zone.

67  
68 **Mr. Monson made a motion to continue Case 2022-11 to June 1st at 7:00pm. Mr. Bradley**  
69 **seconded the motion. 7-0, the motion passed with the following vote:**

70 **Vice Chair Mason, aye**  
71 **Mr. Monson, aye**  
72 **Mr. Cross, aye**  
73 **Mr. Rounds, aye**  
74 **Mr. Bradley, aye**  
75 **Ms. McCarthy, aye**  
76 **Mr. Breton, aye**  
77

78 **Old/New Business**

79  
80 On the subject of increases to impact fees for public safety Mr. Cross thought the board should  
81 make a motion that would go into effect immediately. Mr. Monson thought it should be considered at the  
82 June 8th meeting after meeting with the police and fire departments.

83 Mr. Cross said a larger increase could be done after a period of time but he would like to see the  
84 board increase the fees based on inflation immediately. Mr. Mello said a public hearing would have to be  
85 held.

86  
87 **Mr. Cross made a motion to have a public hearing on June 8<sup>th</sup>, immediately after meeting with**  
88 **the police and fire departments, on increasing public safety impact fees based on the 8.3% rate of**  
89 **inflation. Mr. Bradley seconded the motion. 7-0, the motion passed with the following vote:**

90 Vice Chair Mason, aye  
91 Mr. Monson, aye  
92 Mr. Cross, aye  
93 Mr. Rounds, aye  
94 Mr. Bradley, aye  
95 Ms. McCarthy, aye  
96 Mr. Breton, aye  
97  
98

99 Vice Chair Mason suggested that discussion on 2022 goal setting be tabled until Chair Earley was  
100 present. The board is waiting for an updated list of goals from Chair Earley.  
101

102 Mr. Monson said, after researching it, the proposed septic system maintenance program would be  
103 more effective as a health code matter and not a Planning Board issue. Similar codes have been in acted in  
104 Rye and other communities.  
105

106 The Board of Selectmen is asking for Planning Board input on possible land sales, for parcels 8-B-  
107 1860 and 21-V-255B. Mr. Mello said the first parcel did not seem to be buildable. Mr. Bradley said for the  
108 protection of Seavey Pond, and to maintain a possible right of way for residents and the fire department,  
109 he thought the town should maintain control of the parcel. Mr. Rounds concurred, saying the residents had  
110 just passed a multi-million-dollar fund for conservation to acquire land and it seemed counter productive to  
111 sell it.  
112

113 **Mr. Bradley made a motion to not recommend the land sale of parcel 8-B-1860. Mr. Cross**  
114 **seconded the motion. 6-0-1 the motion passed with the following vote, and Mr. Breton abstaining as he**  
115 **would have to consider the matter when it came before the board of selectmen:**

116 Vice Chair Mason, aye  
117 Mr. Monson, aye  
118 Mr. Cross, aye  
119 Mr. Rounds, aye  
120 Mr. Bradley, aye  
121 Ms. McCarthy, aye  
122 Mr. Breton, abstain  
123

124 Regarding parcel 21-V-255B, Mr. Mello said a nearby neighbor was interested in the parcel for the  
125 stated purpose of using it as a septic system and leach field. Mr. Breton said this was the third time this  
126 resident had approached the town about purchasing the land. Mr. Monson said moving a septic system  
127 away from the lake was a benefit and asked if the deed could be marked so that the parcel could only be  
128 used for septic purposes and not for any other development.  
129

130 **Mr. Monson made a motion to recommend to the selectboard that they sell parcel 21-V-255B to**  
131 **the homeowner at 6 Fish Road with the deed restriction that the parcel could only be used for septic use**  
132 **and that it cannot be merged with any other lot in the future. Mr. Rounds seconded the motion. 3-3-1,**  
133 **the motion failed, with the following vote, and with Mr. Breton abstaining as he has to review the matter**  
134 **as a selectmen:**

135 Vice Chair Mason, opposed  
136 Mr. Monson, aye  
137 Mr. Cross, opposed

138 **Mr. Rounds, aye**  
139 **Mr. Bradley, aye**  
140 **Ms. McCarthy, opposed**  
141 **Mr. Breton, abstain**

142  
143 Mr. Cross asked how confident he could be that the lot would not be developed in the future, if it  
144 had the suggested deed restriction. Mr. Mello said the deed restriction would be looked at by DES in the  
145 case that the owner did want to build a septic system and that any attempts to build on the lot would come  
146 before the staff at the Community Development Department. Mr. Monson explained the benefits to the  
147 watershed if the homeowner upgraded whatever system existed on his current parcel.

148  
149 **Mr. Cross motioned to let the Board of Selectmen know that the Planning Board did not have a**  
150 **recommendation either way regarding the selling of parcel 21-V-255B, but with the recommendation**  
151 **that, if the parcel was to be sold, that it be deed restricted for septic use only and that the deed further**  
152 **be noted that it could not be merged with any other lots. Vice Chair Mason seconded the motion. 4-2-1,**  
153 **the motion passed with the following vote, with Mr. Breton abstaining as he would need to review the**  
154 **matter when it came before the Board of Selectmen:**

155 **Vice Chair Mason, aye**  
156 **Mr. Monson, aye**  
157 **Mr. Cross, aye**  
158 **Mr. Rounds, opposed**  
159 **Mr. Bradley, aye**  
160 **Ms. McCarthy, opposed**  
161 **Mr. Breton, aye**

162  
163  
164 **Mr. Cross made a motion to adjourn the meeting, at 8:09pm. Ms. McCarthy seconded the**  
165 **motion. 7-0, the motion passed with the following vote:**

166 **Vice Chair Mason, aye**  
167 **Mr. Monson, aye**  
168 **Mr. Cross, aye**  
169 **Mr. Rounds, aye**  
170 **Mr. Bradley, aye**  
171 **Ms. McCarthy, aye**  
172 **Mr. Breton, aye**

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