

**TOWN OF EATON  
PLANNING BOARD  
April 12, 2017**

The Planning Board held their regular meeting on Wednesday, April 12, 2017 at the Eaton Town Hall. Present were: Chairman Paul Savchick, Dennis Sullivan, Brian Hebert, Thaire Bryant, Frank Holmes, Selectmen's Representative Ed Reilly and Alternate Peter Klose. The meeting was called to order at 6:55 pm. Chairman Savchick appointed Peter Klose to act as regular member.

**Review of Minutes**

The Board reviewed the Minutes of March 8, 2017. ***Frank Holmes made a motion, seconded by Brian Hebert, to accept the Minutes as written. Motion unanimously carried.***

**Selectmen's Report**

Ed Reilly gave an update on Selectman's issues and noted that the Board is working on a Drug & Alcohol Policy for employees and volunteers.

**Conservation Commission Report**

Paul Savchick stated that David Sorensen is now the Selectmen's Representative on the Commission and that the last meeting was spent reviewing the prior year's agenda items.

**Administration**

Paul Savchick explained that he has signed the Boundary Line Adjustment plans for Hoyt and Purity Spring Resort but that the Dow and Purity Spring Resort Boundary Line Adjustment plan has not yet been submitted.

**Public Hearing – Site Plan Review**

**190 Snowville (Burke, Thompson, Wiley, Whitman & Clark)**

At 7:15 pm, Chairman Savchick opened the Public Hearing on an application from 190 Snowville for Site Plan Review of property located at 190 Brownfield Road (U02-019).

Chairman Savchick explained the procedure for the hearing. All notices have been posted, all fees paid and abutters notified. ***Dennis Sullivan made a motion, seconded by Thaire Bryant, to accept the plan for consideration. Motion unanimously carried.***

Loralie Gerard of Thorne Surveys gave an overview of the project and review of the site plan noting that berms will be utilized to minimize the headlights from the parking area. Loralie Gerard explained that the house will remain as a two-bedroom rental, the barn will be for storage and the remainder of the building will house a yoga and wellness center. Ms. Gerard stated that there is a commercial kitchen for classes and potentially for food preparation for delivery off-site. Ms. Gerard explained that the parking area is not required to be paved so it may not be noticeable. Ms. Gerard stated that the large spruce tree is designated to be removed and that the proposed sign adheres to the Zoning Ordinance requirements. Ms. Gerard indicated that there may be 4 to 6 retreats per year with a maximum of 16 participants including staff.

Chairman Savchick opened the Public Hearing for comments. Holly Fortin questioned the difference between the retreat and classes. Loralie Gerard explained that classes will be held during the day and that the retreat would be two to three days and that there would be no overnight accommodations at the facility. Holly Fortin stated that her initial concerns were addressed and expressed her appreciation for being heard. Dana Cunningham questioned whether there are any additional plans for the property. Loralie Gerard explained that there is concern that once Site Plan approval is obtained that the use will be expanded and noted that any additional uses to the property would require additional Planning Board approval.

Dana Cunningham read a statement and indicated that there are no adversarial feelings but that her concern is to preserve Eaton and Snowville. Dana Cunningham stated that she likes the quiet and is afraid the parking area would cause them to lose something precious that cannot be taken back. Dana Cunningham expressed concern about what will happen to this property in the future and questioned whether the parking area could be moved further back so that it cannot be seen.

John Hartman expressed his concern about additional traffic that any commercial entity will generate and noted that the berm could be dangerous for visibility. Loralie Gerard stated that a driveway permit application has been submitted to NHDOT and that the trees and berm meet their criteria.

Tom Costello questioned the lighting in the parking area. Loralie Gerard explained that the lights will be on the building and that there is a street light at the entrance. Sandy Thoms questioned whether the owners are responsible for providing adequate lighting. Loralie Gerard stated that the abutters do not want too much light and that there will be three lights on the building.

Peter Blue questioned whether the potential second exit has been resolved. Loralie Gerard stated that she does not believe it will be required but that NHDOT has not yet processed the application. Peter Blue questioned whether the Site Plan will change if NHDOT requires the second curb cut. Loralie Gerard stated that the Planning Board would have to review and approve an updated Site Plan if the curb cut is required.

Barbara Holmes questioned why a commercial kitchen is being installed if there are no overnight guests. Michelle Clark explained that for health safety purposes, the commercial kitchen is required for food preparation. Sandy Thoms questioned whether

a liquor license will be obtained. Loralie Gerard stated that a license will be obtained as wine tasting classes will be offered.

Tom Costello questioned the Zoning District of this property. Paul Savchick explained that it is within the Village District and that Eaton's regulations permit this type of business within the District and read the applicable section of the Zoning Ordinance. Tom Costello noted that if this application is not approved and is taken to court, it could cost the Town a lot of money. Dana Cunningham noted that the Village District is zoned for this type of use but the feelings of the Town is part of the process. Paul Savchick explained that it the job of the Planning Board to listen to all public comment and administer the regulations adopted by the Town. Trish Larsen questioned whether there are any historic sections of Town. Paul Savchick explained that the Planning Board suggested labeling Snowville as a Historic District but the residents were not in favor of that designation.

John Hartman questioned whether there would be bicycle or foot traffic to the beach. Loralie Gerard stated that there are no plans and that any type of proposal for sidewalks would have to be approved by NHDOT. Roy Alley stated that there is no gate or chain at the beach and expressed his concerns regarding the extra use of the beach. Paul Savchick noted that the Planning Board cannot address that issue.

David Sorensen questioned whether Stewart Road could be used for access if there are traffic concerns on Brownfield Road and asked about the proposed septic system. Loralie Gerard explained that initial public comments indicated that abutters wanted the property to remain in its original state, which is why the owners did not pursue a curb cut onto Stewart Road. Loralie Gerard gave an overview of the proposed septic system which is designed for under the parking area.

Candace Maher questioned whether the retreats would be longer than two to three days. Jim Thompson noted that they could be up to five days. Candace Maher questioned whether the people attending the retreats would stay at the local inns and if this property is slated to become an Air BnB. Loralie Gerard stated that it will be the responsibility of the attendees to secure accommodations and that transient housing is not part of this application. Candace Maher questioned the proposed food preparation and whether local people would be hired. Loralie Gerard stated that food prepared on the property could be taken off site to be consumed and that it would not generate any additional traffic and further noted that the applicants will be running the business.

Joyce Blue questioned the tree in front of the house and indicated that it is dangerous. Loralie Gerard stated that the tree is not slated to be removed as it is not part of the changes on the property. Nora Keith questioned the dumpster and garbage trucks. Loralie Gerard stated that an area for a dumpster has been sited but no contract has been put together for trash removal.

Larry Nash expressed his concern regarding increased traffic on Brownfield Road with no plans to upgrade the road. Linda Sorensen stated that she likes the concept but wishes it were not in this neighborhood. Barbara Holmes stated that she does not see

this as a viable business and asked about future plans if it does not work. Loralie Gerard stated that because the character of the property is being maintained, it could revert back to a residence. John Hartman questioned whether a business plan is required as it would answer a lot of questions. Loralie Gerard stated that a business plan is not required and that the narrative sets forth the proposal for this application. Dana Cunningham stated that this proposal is in a neighborhood that allows this use but it will change things.

Joyce Blue stated that Snowville has gone through many changes over the years including a saw mill and Town garage. Joyce Blue expressed her support of this endeavor and stated that she believes this will turn out well and that the residents will adjust to the change.

Paul Savchick stated that nine letters have been received by the Planning Board and will be part of the record. Loralie Gerard requested that the letters be read for the record. Paul Savchick read two of the letters.

Nella Thompson stated that her concerns is the increased traffic and property values. Chris Kennedy stated that he is not opposed to the application as he has heard nothing in the proposal that is unreasonable. Trish Larson stated that the Zoning Ordinance needs to be reviewed because of these concerns.

Heather McKendry stated that she likes the plan but wishes it were not in the Village of Snowville as it will change the nature of the Village with increased traffic and noise. Alice Williams stated that an example of what change will do is the increase in traffic due to the upgrade to the Foss Mountain trails and parking area.

Dennis Sullivan asked if the retreat attendees will be inside or out around Town. Loralie Gerard stated that with 2.3 acres, outside activities will occur. Roy Alley stated that this should be voted on by the Town and not just 6 people on a Board.

Paul Savchick closed the Public Hearing at 8:45 pm.

Thaire Bryant questioned the soil types and storm water drainage. Loralie Gerard stated that the property is basically flat so the Site Plan does not show contours. Paul Savchick stated that a drainage plan is required and that NHDOT will most likely address drainage as it pertains to Brownfield Road. Loralie Gerard noted that there is a catch basin in that area. Paul Savchick explained that a separate drainage plan will be required and that due to the wetlands on the back of the property, a more definitive answer to the soil types will be required. Paul Savchick stated that soil types, erosion, drainage calculations and topo plan will be required and that the applicants should consider moving the parking area out of sight.

Paul Savchick questioned the height of the berms and indicated that the applicants consider trees rather than a berm. Loralie Gerard stated that the berms have not yet been specified. Ed Reilly stated that an issue with the berms is line of sight when exiting the parking lot and that answers will be required before the Board moves forward. Ed Reilly explained that the requirements are in the Site Plan Review regulations and that

he has been asking for a business plan as he is not sure of what is happening on this site.

Paul Savchick questioned the septic system for the house. Loralie Gerard stated that she has a copy of the four-bedroom design and that it has been functioning for over 20 years. Paul Savchick stated that this will be a rental unit and the system must be evaluated to make sure it is adequate and functioning properly. Ed Reilly stated that one of the submission requirements pertains to the water supply of abutting properties. Loralie Gerard stated that the water supplies within 200 feet of the site have not yet been depicted on the plan.

Dennis Sullivan questioned whether the applicants have considered relocating the parking area onto the Stewart Road side of the property which would remove some of the concerns regarding traffic and lighting. Brian Hebert questioned if there are plans for the property if this proposal is not approved by the Planning Board. Whit Whitman stated that if it is not approved, they would consider creating multiple residential units and then selling the property.

Brian Hebert noted that people utilizing this property would not be eligible to utilize the beach. Ed Reilly stated that the issue could be brought to the Selectmen to discuss. Thaire Bryant stated that the Planning Board needs to balance the needs and wants of the community with the regulations as this type of application may become more common.

Paul Savchick stated that a site visit needs to be scheduled. Whit Whitman stated that they would like to continue working in the house. Ed Reilly stated that work already permitted can continue. The Board discussed the issue of a building permit and it was noted that a legal opinion will be obtained.

***Thaire Bryant made a motion, seconded by Dennis Sullivan, to continue this application on May 10, 2017 at 7:15 pm. Motion unanimously carried.***

### **Other Business**

***At 9:58 pm, Ed Reilly made a motion, seconded by Thaire Bryant, to enter non-public session under RSA 91-A:3 II(e) to discuss pending litigation. Motion carried by roll call vote (Paul Savchick-Yes, Dennis Sullivan-Yes, Brian Hebert-Yes, Thaire Bryant-Yes, Frank Holmes-Yes, Ed Reilly-Yes, Peter Klose-Yes).***

The Board reconvened public session at 10:43 pm. ***Peter Klose made a motion, seconded by Thaire Bryant, to seal the Minutes indefinitely because it is determined that divulgence of this information likely would render a proposed action ineffective. Motion carried by roll call vote (Paul Savchick-Yes, Dennis Sullivan-Yes, Brian Hebert-Yes, Thaire Bryant-Yes, Frank Holmes-Yes, Ed Reilly-Yes, Peter Klose-Yes).***

***Thaire Bryant made a motion, seconded by Ed Reilly, to adjourn the meeting. Motion unanimously carried.*** The meeting adjourned at 10:46 pm.

Respectfully submitted,

*Lianne Boelzner*

Lianne Boelzner