

**TOWN OF EATON  
PLANNING BOARD  
October 14, 2020**

The Planning Board held their regular meeting on Wednesday, October 14, 2020 at the Eaton Town Hall and via Zoom in accordance with Emergency Order #20 pursuant to Executive Order 2020-04. Present at Town Hall were Chairman Dennis Sullivan, Heather McKendry and Peter Klose; present via Zoom were Stanley Dudrick and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:00 pm.

As Chair of the Planning Board, Dennis Sullivan found that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #20 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. In accordance with the Emergency Order, Chairman Sullivan confirmed public access to the meeting via Zoom for this meeting. All members of the Board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and participate in this meeting by clicking on the following website address <https://us02web.zoom.us/j/9569071146>.

Notice was given to the public of the necessary information for accessing the meeting. Instructions have also been provided on the Town website at [eatonnh.org](http://eatonnh.org). If anyone has a problem accessing the scheduled Planning Board meeting, please call 603-447-2840. In the event that the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Dennis Sullivan started the meeting by taking roll call attendance: Dennis Sullivan Heather McKendry, Peter Klose, Stanley Dudrick (no one else in the room) and Ed Reilly (no one else in the room). Dennis Sullivan noted that all votes taken during this meeting will be done by roll call vote.

**Public Hearing – Steep Slope Development**  
**Matthew & Tucker Watson**

At 6:04 pm, Chairman Sullivan opened the Public Hearing on an application from Matthew and Tucker Watson for Steep Slope Development of a property located on Woodland Acres Road (R05-018).

All notices had been posted, all fees paid and abutters notified. No correspondence was received. Chairman Sullivan explained that the regulation requires engineering plans but the applicant has filed a waiver of that requirement. ***Heather McKendry made a motion, seconded by Stanley Dudrick, to accept the application for consideration as a waiver has been submitted in place of a required plan. Motion unanimously carried by roll call vote.***

Matthew Watson explained that a plan has been submitted showing the driveway that was started approximately 2-1/2 years ago and that the driveway is following an old logging road. Matthew Watson gave an overview of the submitted packet of information,

including a perk test plan by the former property owner. Matthew Watson stated that the plan is to go up the slope partway and to construct a parking area at the "520" mark on the plan.

The Board reviewed a new submitted plan showing a revised driveway location with culverts. Matthew Watson explained that the run off would be directed to areas and that stones would be used to act in a similar way as a French drain. Matthew Watson noted that water bars will be used to keep water on the property and off Woodland Acres Road. Matthew Watson stated that trees will be laid across the walkway to keep water from running off the site.

Ed Reilly stated that there has been run off near the large bolder on the embankment. Matthew Watson explained that the plan is to line 8 to 10 boulders in that location and then plant grass and fast-growing trees. Ed Reilly questioned what proposed methods are to be used to make sure there is no run off. Matthew Watson stated that the boulders are to make sure there is no erosion and that by changing the driveway design to a more gradual slope, using 20-inch culverts and gravel pack on the driveway, they will make sure there is no run off. Ed Reilly questioned whether the 2:1 ratio will be accomplished and Matthew Watson stated that they are planning for that ratio.

Chairman Sullivan questioned the proposed method of moving water from the driveway. Matthew Watson stated that they are proposing a culvert at the corner of the switchback that drained into an area lined with stone. Heather McKendry asked whether he is building the driveway and if he has done this type of work before. Matthew Watson stated that he has been working on this driveway for 2-1/2 years.

Chairman Sullivan stated that the first part of the driveway is not steep but that the second half of the driveway is greater than 10% slope, which is why the alternate plan has been submitted.

Chairman Sullivan opened the Public Hearing for public comment. There being no one present, the public comment period was closed.

Chairman Sullivan explained that the proposal has been reviewed by the Conservation Commission, as required within the Ordinance, and offered the following comments: 1. The section of driveway that is greater than 10% slope is highly erosional; 2. Steep gravel driveways require repairs so the owner should be aware of the possible costs; 3. There are steep slopes of 30% to 50% in some areas so they believe that there should be an engineering plan prior to any approvals; 4. In reviewing the topography map, there is no drainage between the flat area and the steep slopes, which may be a wet area all the time and that confirmation by a soil science engineer may be applicable.

Matthew Watson stated that the lower flat section has never been wet and noted that it is Lyman Berkshire soils. Matthew Watson explained that Wendy Scribner from the Carroll County Soil Conservation District has walked the property and that the only water on the property is the vernal pool on the higher section of the property. Matthew Watson stated that the current 30% to 50% sloped road is slated to become more useable with a lower slope and that the only obvious erosion is around the boulder.

Chairman Sullivan explained that the logging road should have had water bars, and noted that a logging road is for a one-time use whereas a driveway is for continued use. Matthew Watson stated that engineering plans are expensive and that he has been educating himself on the land to construct the safest driveway possible. Matthew Watson stated that with an approved waiver and any conditions the Planning Board may impose, he will be constructing the driveway and that any concerns can be addressed during site visits. Matthew Watson stated that the driveway would not be used until approved by the Board and mitigation has been discussed with the Conservation Commission. Chairman Sullivan stated that an engineering plan would show whether the proposed plan for the driveway would work rather than "hoping" it will work. Stanley Dudrick stated that the plan is well thought out but the Planning Board must enforce the regulations equally.

Chairman Sullivan closed the Public Hearing and asked for Board deliberation. Heather McKendry stated that the slope is very steep, which is why an engineering plan is beneficial. Peter Klose stated that a plan would address the run off and erosion. Chairman Sullivan noted that there is erosion in the area of the boulder and that there will be increased erosion as earth is moved in that area. Chairman Sullivan stated that the current proposal includes retaining walls, which can lead to drainage and pressure issues. Chairman Sullivan noted that an option is to locate the parking area on the flat section and to construct a walking trail up the remaining 40 feet.

Chairman Sullivan reviewed the four performance standard conditions and stated that, in his opinion, a grading plan should be required and not waived. Heather McKendry stated that the submitted plan and intentions are great but wants to make sure there are no issues. Peter Klose stated that a grading plan is necessary. Matthew Watson stated that the plan he submitted is close to the original plan submitted by a licensed engineer years ago and that he is not willing to put the cost into an engineer. Matthew Watson explained that he used the Thorne Survey plan for information when he walked the property with specialists in order to develop the current plan. Heather McKendry noted that the Steep Slope Ordinance was not in place when the original proposal was submitted by Thorne Surveys.

Chairman Sullivan stated that the yurt can be permitted and built as the issue is with the driveway only. Matthew Watson stated that the driveway work was started prior to adoption of the Ordinance so it should be grandfathered. Chairman Sullivan stated that the work prior to adoption of the Ordinance can remain but everything done now must adhere to the Ordinance. Ed Reilly suggested contacting an engineer to determine what existing information is useable and the cost to prepare a grading plan. Chairman Sullivan noted that the Public Hearing can be continued while information is obtained.

Matthew Watson stated that he is in the area to work on the driveway this week and that he will lose his deposit on equipment if he cannot move forward. Chairman Sullivan explained that the intent of the Ordinance is to minimize erosion and that the Board cannot predict what will happen without a proper plan.

Matthew Watson questioned whether he can work on the driveway up to the 10% slope area and then use equipment to transport building materials up the hill. Chairman Sullivan stated that using equipment to transport materials is acceptable because it is a

temporary access. Chairman Sullivan noted that the lower section does not fall under the Ordinance so work can proceed. Ed Reilly questioned whether there will be any negative impact or runoff if he works in that flat area. Chairman Sullivan stated that work can be done in the flat area but no cuts or work can occur in the steep slope area (begins at 506' area on the submitted plan) and that the existing logging road can be used to haul materials up the hill. Peter Klose stated that a grading plan by a NH licensed engineer is necessary to make sure there are no issues. Chairman Sullivan stated that the Ordinance requires an engineering plan prepared by a professional engineer and/or Certified Professional in Erosion and Sediment Control that shows specific methods that will be used to control soil erosion and sedimentation, soil loss and excessive storm water runoff, both during and after construction.

***Peter Klose made a motion, seconded by Heather McKendry to recess this Public Hearing until 6 pm on November 11<sup>th</sup>, in anticipation of the applicant submitted a grading plan prepared by a licensed engineer showing draining and methods to be used to control soil erosion and sedimentation and soil loss. Motion unanimously carried by roll call vote.***

### **Selectmen's Report**

Ed Reilly explained that a property owner has requested information on placement of a wind turbine. The Board reviewed the regulations and determined that the turbine must adhere to the height limit and setbacks, not cause noise disturbance and that a Building Permit is required.

### **Administrative**

Dennis Sullivan stated that he has reviewed the Zoning Ordinance relating to signs and noted that the Board needs to amend the Ordinance. It was noted that a draft revision will be reviewed next month.

***Peter Klose made a motion, seconded by Heather McKendry, to adjourn the meeting. Motion carried by unanimous roll call vote.*** The meeting was adjourned at 8:55 pm.

Respectfully submitted,

*Lianne Boelzner*

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