

**TOWN OF EATON  
PLANNING BOARD  
November 10, 2021**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, November 10, 2021. Present were Chairman Dennis Sullivan, Peter Klose, Heather McKendry, John Hedden, Stanley Dudrick, Alternate Thaire Bryant and Selectmen's Representative Joyce Blue. The meeting was called to order at 6:00 pm. Chairman Sullivan appointed Thaire Bryant to act as a regular member for this meeting.

**Correspondence**

The Board reviewed an article from NH Municipal Association regarding property visits by the Planning Board.

**Review of Minutes**

The Board reviewed the Minutes of October 13, 2021. ***Joyce Blue made a motion, seconded by John Hedden, to adopt the Minutes as written. Motion unanimously carried.***

The Board reviewed the Minutes of November 3, 2021. ***Joyce Blue made a motion, seconded by John Hedden, to adopt the Minutes as written. Motion unanimously carried.***

**Selectmen's Report**

Joyce Blue gave an overview of the Building Permits issued by the Selectmen and noted that the Board is working on setting the tax rate.

**Conservation Commission Report**

Heather McKendry gave an update on the Conservation Commission and noted that they are working with Town Forester Dan Stepanauskas on Town Lands and that Cliff Cabral dove Crystal Lake and found no invasive species.

**Public Hearing – Steep Slope Development (Continued)**

**Matthew & Tucker Watson**

At 6:15 pm, Chairman Sullivan re-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). Matthew and Tucker Watson joined the meeting via Zoom.

Chairman Sullivan noted that the Board has received a letter regarding grandfathered rights from Atty. Nicholas Kanakis, who represents the Watsons, and that due to the

amount of information recommends that the Board confer with Town Counsel before moving forward. Tucker Watson questioned whether the Hearing needs to be continued if Town Counsel agrees that the driveway is grandfathered. Chairman Sullivan stated that he is unsure and recommended that the Hearing be continued until next month.

***Joyce Blue made a motion, seconded by Thaire Bryant, to recess the Public Hearing until 6:15 pm on December 8, 2021. Motion unanimously carried.***

### **Public Hearing – Subdivision (Continued)**

#### **Jeffrey Hertel**

At 6:20 pm, Chairman Sullivan re-opened the Public Hearing on an application from Jeffrey Hertel for a five-lot Subdivision of property located on Brownfield Road (R10-031).

Jeff Hertel questioned the status of the waiver request for the HISS requirement that was submitted last month. Chairman Sullivan stated that the Board has not discussed the request because the lot to the west appeared to not meet the minimum lot requirements due to soil types. Chairman Sullivan stated that revised plans must be submitted and reviewed before the Board will consider the waiver request and noted that the soils next to Brownfield Road may be wetlands and, therefore, need to be tested. Joyce Blue questioned whether a soil scientist has delineated the soil types on the property. Van Hertel stated that it does not make sense to test the entire parcel of land and stated that the surveyor prepared the plans based on general maps rather than specific soil testing. Van Hertel stated that based on NHDES guidelines it makes sense to perform HISS testing on lots 1 and 2 about 2/3 of the way back from the Brownfield Road. Chairman Sullivan stated that Eaton's regulations are different and that lot calculations must be performed based on the soil tables within the Subdivision Regulations.

Chairman Sullivan stated that he is concerned about the land along the road as they are not marked as wetlands but visual inspection shows wetlands. Chairman Sullivan noted that the floodplain boundaries also need to be shown on the plan. Van Hertel stated that the wetlands shown on the plan was flagged by the wetland scientist. Van Hertel stated that the common driveway to lots 4 and 5 appears to be borderline wet but was told that it is not wetlands based on vegetation. Van Hertel stated that if the Board wants, testing can be done on most of lots 1 and 2 and then on the other lots, approximately 200 feet back from the Brownfield Road. Chairman Sullivan stated that future owners will need this information to obtain a Building Permit. Thaire Bryant summarized the area to be tested as follows: lots 1 and 2 approximately 2/3 of the way back from the road, lots 3, 4 and 5 approximately 200 feet back from the road, the common driveway on lots 4 and 5 and the single driveway out 100 feet.

John Hedden questioned slope for the driveway on lot 5. Van Hertel explained that if the driveway is cut at a side angle across the grade, it can be done to meet Town standards. Van Hertel noted that the driveway could be shown on the next plan for the Board's review. Chairman Sullivan stated that the soil type depicts a steep slope and noted that the slope and soil type must be delineated on the plan. Van Hertel noted that the slopes can be marked on the topo plan. Chairman Sullivan stated that the slopes

must be located to assist with the lot size calculations. Van Hertel stated that the HISS mapping will need to go back 600 feet on lots 3, 4 and 5 to delineate slopes and soil types. It was the general consensus of the Board that HISS mapping back 600 feet from the road would be acceptable.

Chairman Sullivan stated that a copy of the report on the wetlands must be submitted to the Board. Van Hertel stated that there is no report and that the wetlands were just flagged but that he will request a report. Chairman Sullivan noted that the report is needed to clarify the soils that were found on the property.

At 6:50 pm, Chairman Sullivan opened the Hearing for Public Comment. David Weathers stated that HISS mapping gives more information as there does not have to be water on the surface to be a wetland. David Weathers explained that the HISS mapping will be required for the Dredge and Fill Permit applications for the driveway because of the hydric soils.

Chairman Sullivan stated that a breakdown of soil types for the lot calculations is needed. Van Hertel stated that he will ask the surveyor to mark out the soil types, slopes and show the driveway will meet Town regulations.

***Joyce Blue made a motion, seconded by Thaire Bryant, to recess this Public Hearing until 6:15 pm on December 8, 2021. Motion unanimously carried.***

### **Regulations**

The Board reviewed and revised the proposed Zoning Ordinance amendments. ***John Hedden made a motion, seconded by Peter Klose, to bring the proposed Zoning Ordinance amendments to Public Hearing on December 8, 2021. Motion unanimously carried.***

The Board will begin work on the permitted uses in each Zoning District next year. Heather McKendry stated that she would also like to discuss a change in the zoning for properties along Brownfield Road.

***Thaire Bryant made a motion, seconded by Peter Klose, to adjourn the meeting. Motion unanimously carried.*** The meeting was adjourned at 7:58 pm.

Respectfully submitted,

*Lianne Boelzner*

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