

**TOWN OF EATON
PLANNING BOARD
November 9, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, November 9, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Stanley Dudrick, Judy Wilson, Kevin Conklin, Alternate Thaire Bryant and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:30 pm.

Chairman Sullivan appointed Thaire Bryant to act as a regular member for this meeting.

Review of Minutes

The Board reviewed and amended the Minutes of October 12, 2022. ***Stan Dudrick made a motion, seconded by Judy Wilson, to adopt the Minutes as amended. Motion unanimously carried by roll call vote.***

The Board reviewed and amended the Minutes of November 2, 2022. ***Stan Dudrick made a motion, seconded by Thaire Bryant, to adopt the Minutes as amended. Motion unanimously carried by roll call vote.***

Select Board Report

Ed Reilly gave an overview of the proposed sidewalk for the Church and noted that information has been received from Town Counsel regarding the issue of liability. Ed Reilly noted that NHDOT will not support a gravel walkway due to drainage and erosion concerns. Thaire Bryant suggested placing cones along the highway to alert drivers and keep pedestrians away from the shoulder. Ed Reilly explained that Counsel indicated that because the walkway is within the State right-of-way, written permission should be obtained from NHDOT. Chairman Sullivan noted that if the Church changes the application to remove the walkway from the plan, the Planning Board will have to re-open a Hearing for the amendment.

Stan Dudrick explained that the Selectmen will be holding a Public Hearing at 4 pm on December 6th, to review and accept the Carroll County Broadband District Agreement.

Land Use Regulation Amendments

The Board reviewed and amended the proposed Zoning Ordinance Amendments:

Amendment to Article X

- A. Creation:** The ***Zoning*** Board of Adjustment created by Article VI of the Land Use Ordinance of the Town of Eaton, adopted March 10, 1970, shall be a

continuing body and become the Zoning Board of Adjustment (ZBA) of this Ordinance. It shall have the composition, terms, duties and authority set forth in New Hampshire Revised Statutes, Annotated, Chapters 673, 674, 676, 677 as amended (formerly Chapter 31). **B. Powers and Duties: The Zoning Board of Adjustment shall have such powers and duties as set forth in RSA 674:33.** The Board shall hold public hearings on all cases properly before it and shall give reasonable public notice thereof and reasonable notice by mail to all owners of property within 200 feet of the exterior boundaries of property involved. The Board may, before acting on a matter, refer to the Planning Board for review and recommendation. The granting of permits by the **Zoning** Board of Adjustment may be subject to appropriate conditions and safeguards. (Amended 03/11/1986, 03/4/1989)

C. Appeals to the Zoning Board of Adjustment. Appeals to the Board concerning any matter within the Board's powers as set forth in RSA 674:33 may be taken by any person aggrieved or by any Officer, Department or Board of the Town affected by any decision of the administrative officer. Such appeal shall be filed within 30 days.

D. Appeals from a Decision by the Zoning Board of Adjustment. An appeal from a decision by the Zoning Board of Adjustment may be taken by any person aggrieved or by any Officer or Board of the Town affected by such decision in the matters prescribed by RSA 677:2. Such appeal shall be filed within 30 days after the decision.

Amendment – Home Occupations

The purpose in allowing Home Occupations in the Rural Residential District of the Town of Eaton is to enhance economic opportunities for residents without significantly detracting from the quality of neighborhoods.

Definition: Home Occupation—A Home Occupation is defined as the accessory use of a residential property for a business endeavor. The work performed in a Home Occupation must be performed by a person(s) residing in that property and must be incidental to the residential use of the dwelling unit.

- 1) A maximum of one (1) employee may be a non-resident of the dwelling.
- 2) The Home Occupation will be conducted only within the principal dwelling or accessory building.
- 3) Only one sign related to a Home Occupation will be allowed and must be in compliance with the Town's Zoning Ordinance.
- 4) The Home Occupation will not create any external evidence other than the permitted sign or business vehicle.
- 5) Any materials or equipment related to the Home Occupation will not be visible from the street or from abutting properties. The use of fencing, shrubbery and/or hedges is encouraged.

- 6) There will be no activity that is detrimental to the residential nature of the area nor any emission of light, noise, odor, dust, fumes, vibration or smoke beyond the property.
- 7) Septic system design/capacity for Home Occupations that utilize significant additional water or wastewater volumes, such as hair salons and catering services, will be verified in writing by a licensed New Hampshire septic designer or professional engineer.
- 8) No more than 25% of the floor area of the dwelling or accessory dwelling unit, up to a maximum of 600 square feet will be used for the Home Occupation.
- 9) Individuals engaged in a Home Occupation as defined above, will ensure that there are no detectable impacts beyond their property boundaries caused by an increase in traffic, or by a change in the types of traffic, or by on-street parking. No visible storage of any kind is permitted.
- 10) Permitted uses include, but are not limited to: home offices for lawyers, accountants, architects, dressmakers, barbers and hairdressers (1 chair), tutoring, counseling, baking or food production (not restaurants), child care (maximum 3 children), artists and craftsmen, self-employed tradesmen, repairmen or contractors.
- 11) Uses not permitted include, but are not limited to, car or truck repair, event venues, real estate agencies, or any business that is detrimental or injurious to the comfort, peace, enjoyment, health or safety of the community or to the immediate neighborhood. Anything primarily of a retail use is not considered a Home Occupation.
- 12) Garage, yard or barn sales, garden produce sales or similar **temporary** activities are not considered a Home Occupation.
- 13) All Home Occupations must adhere to all pertinent State regulations.
- 14) Anyone engaged in a Home Occupation must apply for a Certificate of Use from the Board of Selectmen.

The Board scheduled a work session for Tuesday, November 29th, at 1:30 pm to finalize the proposed amendments. It was noted that the Public Hearing on these amendments will be held on December 14th.

Thaire Bryant made a motion, seconded by Peter Klose, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 8:37 pm.

Respectfully submitted,

Lianne Boelzner

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