

**TOWN OF EATON
PLANNING BOARD
April 19, 2023**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, April 19, 2023. Present were Chairman Dennis Sullivan, Peter Klose, Judy Wilson, Kevin Conklin, John Hedden, Stanley Dudrick and Selectmen's Representative Greg Grinnell. The meeting was called to order at 6:30 pm.

Review of Minutes

The Board reviewed the Minutes of March 8, 2023. ***Kevin Conklin made a motion, seconded by Stan Dudrick, to adopt the Minutes as written. Motion unanimously carried by roll call vote.***

Election of Officers

Stan Dudrick made a motion to elect Dennis Sullivan as Chair, seconded by Peter Klose. Motion unanimously carried by roll call vote.

Dennis Sullivan made a motion to elect Peter Klose as Vice Chair, seconded by Stan Dudrick. Motion unanimously carried by roll call vote.

Select Board Report

Greg Grinnell gave a report on the recently issued Building Permits.

Conservation Commission Report

Chairman Sullivan gave an update on the Conservation Commission and explained that the Foss Mountain Trail Committee is working on a fund-raising effort for upcoming trail work. Chairman Sullivan also noted that US Fish & Wildlife has secured funding for a burn on Foss to maintain habitat for the endangered Yellow-Banded Bumblebee. Chairman Sullivan gave an update on the proposed Foss Mountain prescribed burn and noted that Beth Griffin will be meeting with the Commission to discuss The Grove.

Public Hearing – Steep Slope/Ridgeline Protection Development

John Perrie

At 6:45 pm, Chairman Sullivan opened the Public Hearing on an application from John Perrie for development within the Steep Slope and Ridgeline Protection Zones on Lary Road (R06-008). Chairman Sullivan explained the process for the Public Hearing.

All notices had been posted, all fees paid, and abutters notified. There are no members with a conflict of interest. No correspondence was received. It was noted that a waiver has been filed for a required plan submission, thereby deeming the application complete. ***Peter Klose made a motion, seconded by John Hedden, to accept the application for consideration. Motion unanimously carried by roll call vote.***

John Perrie explained that he purchased the property in 2013 with the intent of building a home with a view of the lake and at that time there was no Ordinance limiting that construction. John Perrie reviewed three potential building sites and noted that Options #1 and #3 are outside of the steep slope zone and that #2 would have the clearest view of the lake with the least amount of tree cutting. John Perrie explained that he believes the topography lines are off and that the area at site #2 is less than 15% grade. John Perrie indicated that he is seeking a waiver for that area as there is only a 4-foot deviation over 850 feet. Chairman Sullivan noted that the area designated for the driveway is indeed a steep slope according to the definition in the Ordinance since the slope rises more than 15 feet when measured over 100 feet in the direction of the slope. Chairman Sullivan stated that it is possible to construct a driveway in that area that has minimal impact to the site and meets required grade after completion.

Kevin Conklin question how much additional cut and fill is required on the existing logging road. John Perrie explained that a few sections have dips to be filled. Judy Wilson questioned the materials to be used for the driveway. John Perrie noted the driveway will be gravel similar to Town roads and the existing access road, which is in stable condition after several years.

Greg Grinnell questioned whether the proposed house sites are permissible, and Chairman Sullivan noted that a waiver for a professional plan has been submitted. Stan Dudrick noted that the sites seem reasonable as it is not a very steep section of the property. Greg Grinnell noted that he would like to see the proposed house site and Chairman Sullivan noted that he and Selectmen Fortin and Reilly did perform a site visit with Jim Doucette.

Chairman Sullivan explained that the Ridgeline Protection regulation prevents building if visible from Route 153, which runs near the lake, and noted that the alternative is to place the house so it is hidden by the trees and to use a terrace for a view of the lake. Jim Doucette stated that there should be a balance if the house blends into the landscape. Greg Grinnell noted that the house could be blended in with colored siding. Chairman Sullivan noted that trees can be cut but not enough to make the house visible from the road. Greg Grinnell questioned whether outside lighting can be addressed to reduce visibility and Chairman Sullivan stated that the Board can address lighting.

Chairman Sullivan explained that the Conservation Commission reviewed the application and read their letter into the record. It was noted that the Commission has recommended a drone be used to assess visibility.

John Perrie stated that site #2 is the preferred location for a house but site #3 is outside of the steep slope and has substantial vegetation. Greg Grinnell questioned if site #3 is

large enough to place a well and septic system and John Perry stated that it does have enough flat area. John Hedden questioned the distance from Route 153 to site #3 and Jim Doucette stated it is easily 2000 to 3000 feet.

The Board reviewed a packet of information submitted by abutter Ken Cargill. Jake Crabbs spoke on behalf of Ken Cargill and explained that the project needs engineering for the driveway as only a short section of the driveway is shown on the plan rather than the 100 feet required by the regulation. Jake Crabbs stated that the existing access road and curve slopes up to 19 percent and that additional engineering is needed to show that the access is acceptable for full-time residency.

Rick Wilcox noted that he is an abutter to the south of this parcel and stated that he does not want Lary Road upgraded. Linda Bittner stated that there is a small body of water on the corner of the existing access road that is wet year-round. Jake Crabbs stated that there will be a significant amount of water running down the access road from Lary Road. John Perrie stated that there is a little pond in that area but that the driveway is completely dry and noted that the soil types have been mapped as well-drained. Chairman Sullivan noted that the existing access road is grandfathered and that the applicant is permitted to maintain and add drainage. Jim Doucette noted that the applicant's business is road construction and drainage and will, therefore, address the issues properly. John Perrie noted that there is drainage in the existing driveway and that the road is extremely stable.

Chairman Sullivan noted that after review of potential grades at the building sites, the Board will want measurements of grades at site #3 and indicated that slopes at the building site could be shown in similar fashion to those submitted at the driveway. John Perrie noted that he is waiting to pursue a septic design until such time as a building site has been finalized.

There being no further public comment or discussion, the Public Hearing was closed at 8:11 pm.

Greg Grinnell noted that a wetland area has been potentially located and questioned whether an engineering plan will be required to prove or disprove slopes and soils. Jim Doucette questioned the extent of the engineering plan. Chairman Sullivan addressed the requirements within the regulations and noted that an engineering plan would show the slopes on two-foot contour lines. Chairman Sullivan also noted that because the issue of potential wetlands was raised, a plan would show whether there are in fact any wetlands in the driveway area. Jim Doucette stated that the Ordinance was written to address projects larger than a single-family residence and questioned whether all the requirements are applicable as it seems excessive. Greg Grinnell noted that a lot layout could be completed by a surveyor and that the driveway slopes should be shown. John Perrie noted that he intended to have a surveyor complete a septic design once the actual building site was determined. John Hedden noted that the plan should also address visibility and site disturbance. Chairman Sullivan noted that engineering plans should be required as a direct abutter could challenge the decisions of the Board. Greg Grinnell questioned whether a drone shot could be provided at the elevation of the proposed building. Chairman Sullivan noted that site #3 looks like the best location.

The Board reviewed a written waiver request for submission of engineering plans. ***Kevin Conklin made a motion, seconded by John Hedden, to deny the waiver request. Motion carried by unanimous roll call vote.***

Jim Doucette noted that the lot is large and requested that the plans focus on 200 feet around the disturbed area. Chairman Sullivan noted that the areas of concern are the driveway and building area. It was the consensus of the Board to consider a smaller area on the plan and that a written waiver be submitted with the plan.

Peter Klose made a motion, seconded by John Hedden, to recess this Public Hearing until May 17, 2023. Motion carried by unanimous roll call vote.

Preliminary Meeting – George Diller

George Diller met with the Board regarding his property on Crystal Lake Road and submitted septic plans for the Board's review. George Diller explained that Ammonoosuc Survey has shown that the only buildable spot on the property is below the road, which has steep slopes. Chairman Sullivan explained the process of the Planning Board and indicated that due to the slopes, a Variance will be required by the Zoning Board of Adjustment. Chairman Sullivan suggested holding a joint meeting to address the issue. George Diller will meet with the surveyor to begin the application process.

Greg Grinnell made a motion, seconded by Peter Klose, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 9:35 pm.

Respectfully submitted,

Lianne Boelzner

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