

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

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, July 19, 2023. Present were Chairman Dennis Sullivan, Peter Klose, Stan Dudrick, Judy Wilson, Kevin Conklin, John Hedden and Selectmen's Representative Greg Grinnell. The meeting was called to order at 6:00 pm.

**Review of Minutes**

The Board reviewed the Minutes of June 21, 2023. ***John Hedden made a motion, seconded by Stan Dudrick, to adopt the Minutes as written. Motion unanimously carried by roll call vote.***

**Selectmen's Report**

Greg Grinnell gave an update on Building Permits issued and noted that the Board is reviewing short-term rentals. Greg Grinnell gave a brief overview of the Capital Improvements Committee.

**Conservation Commission Report**

Chairman Sullivan gave an update on the Conservation Commission and stated that the Foss Mountain Trail has been reconstructed with a little more work needed on the upper portion. Chairman Sullivan explained that the Willis Bean Road needs repairs because of the May rainstorm and that the Commission is responsible for the repairs as it is a Class 6 road. Chairman Sullivan stated that Nancy Watson has expressed a need for an Ordinance to regulate industrial solar farms and is working on draft language for the Board's review.

**Public Hearing – Steep Slope/Ridgeline Protection Development - John Perrie**

At 6:15 pm, Chairman Sullivan re-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 reviewed the procedures to be followed for the Public Hearing.

John Perrie noted that the Board required engineered plans be submitted for the house site and disturbed areas. John Perrie explained that plans have been submitted for the new proposed driveway section and house site and that erosion and drainage has been addressed by the engineer. John Perrie noted that three wetland areas have been delineated on the plans.

Chairman Sullivan questioned whether the driveway goes through the wetlands. John Perrie stated that there is a break in the wetlands and that the driveway goes through that area. Greg Grinnell questioned whether the site will be inspected once the project is complete. Jim Doucette asked if the Board would accept a certification by the engineer that the plans were followed and Greg Grinnell stated that is acceptable.

Greg Grinnell questioned the perimeter drains and John Perrie explained the locations for those drains. The Board discussed possible locations for the septic system.

Chairman Sullivan questioned the elevation of the house and John Perrie noted that the house will be 40 feet above existing grade. Chairman Sullivan noted that the tree line is at approximately 758 feet and questioned whether the trees are tall enough to shield the house from Route 153 below. Chairman Sullivan stated that use of a drone was discussed at the last meeting and noted that he wants information on potential visibility of the house.

The Board reviewed the drainage analysis and noted that there is an approximate 1-1/2% increase in run-off. John Perrie stated that a single-family residence with a garage has little to no impact on abutting properties and that the engineer has designed the drainage for the site.

John Perrie gave an overview of the plan showing slopes and stated that the driveway is at a 3% grade and that the structures will be built on land with a slope of less than 15%. John Perrie noted that the driveway area will be smoothed out and that gravel will be added to the existing driveway.

Chairman Sullivan opened the Public Hearing for public comment. Ken Cargill submitted a packet for the Board's review and noted that his concern is the existing accessway. Ken Cargill stated that the accessway is more than 1500 feet in length and is a consistent downward slope and stated that an engineered grading plan should be required as stated in the Ordinance. Ken Cargill stated that after reading April's Minutes, he understood the Board to request engineered plans for the entire driveway. Chairman Sullivan stated that the Steep Slope Ordinance went into effect after the accessway was constructed. Ken Cargill stated that he disagrees and noted that grandfathering does not apply and that improvements in the right-of-way should mean that the accessway is brought up to current standards.

There being no further public comment, Chairman Sullivan closed the Public Hearing. Chairman Sullivan noted that issues have been raised regarding the accessway and questioned whether additional measures will be taken to address drainage. John Perrie explained that growth has been removed and that there are drainage swales on both sides of the driveway the entire length. John Perrie stated that the road has been in place for approximately 10 years with no issues. Greg Grinnell questioned whether the concern is for an abutting property. Ken Cargill stated that using the road daily is an increase and that the concern is for drainage. Ken Cargill stated that if the engineer reviews the design and says it is adequate, he will be satisfied.

The Board discussed grandfathering of the existing accessway. Ken Cargill stated that he will file an appeal if the engineering is not required. Peter Klose questioned where

the accessway begins. Ken Cargill stated that the Town has the right to require upgrades to this access road and that the engineering should be from the discontinued Lary Road to the building site. Kevin Conklin stated that the accessway is for what is being constructed and not what is already existing. Greg Grinnell stated that the Ordinance does require engineered grading plans for all existing access roads. Jim Doucette suggested the Board grant an approval conditional upon submission of an engineered grading plan for the existing driveway. Chairman Sullivan noted that the grading plan will make sure that water runoff is adequately addressed. Jim Doucette stated that any digging for utilities would be outside of the travel and swale area so the existing drainage will not be affected. Chairman Sullivan stated that the spirit of the Ordinance is to minimize drainage impact. Jim Doucette stated that the accessway has a 10-year history of not failing or creating drainage issues. Linda Bittner stated that engineered plans are a small price to pay to make sure the roadway is correct. Ken Cargill stated that a grading plan will address concerns for the increase in use and stated that he will have an engineer review the plan to make sure it works. Chairman Sullivan stated that a grading plan will make sure that drainage does not affect abutting properties. Jim Doucette stated that the road was not part of last month's discussions. Chairman Sullivan apologized and noted that the issue of the road has been raised by an abutter so plans will be needed.

The Board reviewed the waiver requests. Chairman Sullivan noted that waivers for 4(a) and 4(c) will be needed for next meeting to reduce the required area for engineering and hydrology plans.

Chairman Sullivan noted that the issue of visibility also needs to be addressed. Peter Klose stated that the trees will continue to grow and shield the house from being viewed. Kevin Conklin stated that there should be a method to determine visibility.

The Board noted that the following three items are needed for the next meeting: grading plan by a licensed engineer for the existing driveway, corrected waivers and documentation to show visibility.

***Kevin Conklin made a motion, seconded by Greg Grinnell, to recess this Public Hearing until August 16, 2023 at 6:15 pm. Motion carried by unanimous roll call vote.***

***Stan Dudrick made a motion, seconded by John Hedden, to adjourn the meeting. Motion unanimously carried by roll call vote.*** The meeting was adjourned at 8:14 pm.

Respectfully submitted,

*Lianne Boelzner*

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