

**TOWN OF EATON
PLANNING BOARD
January 12, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, January 12, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Heather McKendry, John Hedden, Stanley Dudrick and Selectmen's Representative Joyce Blue. The meeting was called to order at 6:00 pm.

Review of Minutes

The Board reviewed and amended the Minutes of December 8, 2021. ***Joyce Blue made a motion, seconded by Stan Dudrick, to adopt the Minutes as amended. Motion unanimously carried.***

Greg Grinnell joined the Board to discuss the issue of driveway slopes and noted that the State and surrounding Towns permit 15% grade on driveways and indicated that Eaton's 10% slope requirement is too restrictive. Greg Grinnell requested that the Board review the regulation. Chairman Sullivan noted that the Board utilized a draft ordinance from the State and that unless more residents voice concern, the Board will not pursue a change. Heather McKendry noted that the Town's Road Specifications allow for grades up to 12%.

Selectmen's Report

Joyce Blue gave an update on the Potter Road bridge project and stated that the road is now reopen. Joyce Blue stated that the Board is focusing on budgets and that the Budget Hearing is scheduled for February 3rd at 6 pm.

Conservation Commission Report

Heather McKendry gave an overview of the Commission and noted that focus is on revising the Foss Mountain trail to reduce erosion, possible relocation of the parking area, and updating the third kiosk.

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).

Chairman Sullivan stated that Matt Watson has requested a postponement of this Hearing until next month. ***Joyce Blue made a motion, seconded by John Hedden, to***

recess the Public Hearing until 6:15 pm on February 9, 2022. Motion unanimously carried.

Public Hearing – Subdivision
Michael & Holly Henault

At 6:20 pm, Chairman Sullivan opened the Public Hearing on an application from Michael & Holly Henault for a two-lot subdivision on Youngs Road (R04-028-B). Chairman Sullivan explained the process for the Public Hearing.

All notices had been posted, all fees paid, and abutters notified. No correspondence was received. ***Peter Klose made a motion, seconded by Joyce Blue, to accept the application for consideration. Motion unanimously carried.***

Burke York, representative for the Henaults, explained the proposed subdivision and noted that the brook naturally splits the lot and will, therefore, be the property line. Chairman Sullivan noted that the proposal more than meets the minimum lot size based on existing soil types.

Chairman Sullivan explained that he researched the small wetland area and noted that the guidance is to maintain at least a 100-foot setback for the septic system. Chairman Sullivan stated that he would prefer that the 125-foot setback to the stream be maintained and that the buffer to the smaller wetland area could be reduced. Burke York stated that the opinion of Soil Scientist Greg Howard is that the area on the northern boundary is seasonal drainage and not running water as there is no surface water. Burke York stated that the applicant is seeking a waiver to Eaton's setback requirements and to place the leach field 50-feet from poorly drained soils and 75-feet from the seasonal stream, which meets the State requirements. Stan Dudrick questioned why the Town adopted stricter setback requirements. Chairman Sullivan noted that he is unsure and stated that he would rather the stream be protected. Peter Klose stated that the State describes significant wetlands and feels that both areas are insignificant by the State's standards. Burke York stated that a 50-foot setback must be maintained from the small wet area in order to obtain State septic approval.

Chairman Sullivan opened the Public Hearing to public comment. There was none.

The Board reviewed the waiver which requests relief from Article V, Section C.4.b and c (setbacks to wetlands) as the project satisfies minimum setbacks per NHDES regulations. Burke York explained that the State requires a 75-foot setback. Chairman Sullivan stated that the Town requires a 125-foot setback, and that the applicant would have to seek a Variance from the Zoning Board of Adjustment. Stan Dudrick questioned whether the Planning Board can deem that small wetland area as "insignificant" and approve the waiver. Chairman Sullivan noted that the Planning Board cannot waive Zoning Ordinance requirements. Heather McKendry made a motion, seconded by Joyce Blue, to grant the request to waive the 125-foot setback requirement. Motion failed by unanimous vote.

Joyce Blue made a motion, seconded by Heather McKendry, to recess the Public Hearing until 6:15 pm on February 9, 2022. Motion unanimously carried.

Public Hearing – Subdivision (Continued)
Jeffrey Hertel

At 7:15 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).

It was noted that applicant was not present at the meeting. ***Joyce Blue made a motion, seconded by Peter Klose, to recess this Public Hearing until 6:15 pm on February 9, 2022. Motion unanimously carried.***

Other Business

Robert Malvesta joined the Board to discuss a possible subdivision and to ask for guidance on what will be required for the application. Chairman Sullivan explained the application process and reviewed the requirements for road frontage and minimum lot size. Chairman Sullivan noted that soil testing will be required and that a waiver could be requested if the lot is larger than five acres.

Susan Hay gave an overview of her property and questioned whether setbacks from the wetlands will be an issue. Joyce Blue explained the process for obtaining a Building Permit and noted that all building must adhere to the Zoning Ordinance.

Chairman Sullivan gave an update on the Conservation Cohort public meetings scheduled for February 24th and 26th and indicated that public input is being sought to assist in the development of a conservation plan for Town lands. John Hedden suggested finding a method of encouraging the use of Town roads for recreational use.

Joyce Blue made a motion, seconded by John Hedden, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 8:07 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

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

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, February 9, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Heather McKendry, John Hedden, Stanley Dudrick and Selectmen's Representative Joyce Blue. The meeting was called to order at 6:00 pm.

Review of Minutes

The Board reviewed the Minutes of January 12, 2022. ***Joyce Blue made a motion, seconded by Heather McKendry, to adopt the Minutes as written. Motion unanimously carried.***

Selectmen's Report

Joyce Blue gave an update on the Budget Hearing and proposed elderly property tax exemption that will come before voters at Town Meeting.

Correspondence

Chairman Sullivan read the Zoning Board of Adjustment Notice of Decision for Holly & Michael Henault, who were granted a Variance for setbacks pertaining to the septic system and leach field. Stan Dudrick explained that the Zoning Board had no concerns after a presentation by Soil Scientist Greg Howard. It was noted that the Zoning Board has recommended that the Planning Board review the Town's setback requirements compared with the State's requirements. Tom Costello questioned whether the Board will be reviewing the setbacks. Chairman Sullivan noted that the Board will review the issue during the year and explained the process for changing the Zoning Ordinance.

Chairman Sullivan read the Zoning Board of Adjustment Notice for Emily Bridgham, who was granted a Special Exception for a short-term rental with the condition that the septic system be inspected in the spring.

Chairman Sullivan explained the procedure for the upcoming Public Hearings.

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 & Tucker Watson joined the Hearing via Zoom.

Chairman Sullivan noted that the Watsons requested a continuance last month to confer with Counsel and noted that a video has been submitted for the Board to review. The Board watched the video at this time.

Tucker Watson stated that the Board recognized grandfathering on the driveway approximately halfway up but that he still feels the driveway should be grandfathered to the top. Tucker Watson explained that an alternate driveway plan was submitted and discussed because they were told to stop construction and that the driveway was subject to the newly adopted Steep Slope Ordinance.

Tucker Watson shared pictures taken in June 2019, which shows the excavator at the ridge and noted that it was always their intent to construct the driveway to the top. Matthew Watson explained that during the Selectmen's site visit, he threw out options so that he could keep working as he had taken time off from work and rented equipment.

Chairman Sullivan stated that the picture shows that work was clearly done to the logging road and that it appears to be an access road to bring materials to a building site. Matt Watson stated that the Board cannot use the flat area in the driveway to make a decision. Chairman Sullivan stated that there would have been no reason to create a flat parking area if the intent was to continue the driveway to the ridge.

Peter Klose stated that in reviewing the November letter from Counsel, grandfathering does apply and that the interim plan should not be considered. Stan Dudrick agreed and noted that the Watsons have made sincere efforts to comply with the Town's requests. Chairman Sullivan stated that Counsel deemed that only the lower half of the driveway was grandfathered. Peter Klose stated that the plan for a driveway only halfway up to the ridge was generated to adhere to pressure from the Town to comply with the Steep Slope Ordinance. Matt Watson stated that it was always the intent to construct the driveway to the ridge and that pictures show trees removed and work to the driveway, all before a Building Permit was issued.

At 6:44, Chairman Sullivan opened the Hearing for public comment. Peter Klose stated that Counsel deemed the driveway grandfathered. Stan Dudrick noted that it is on a private road and that the applicants are trying to protect the environment. Tucker Watson stated that they have demonstrated intent and actual work to the driveway and stated that grandfathering should apply to the entire driveway.

At 6:51 pm, Chairman Sullivan closed the Public Hearing. ***Joyce Blue made a motion, seconded by Stan Dudrick, to recess the Public Hearing until later in the meeting, at which time deliberations would take place. Motion unanimously carried.***

Public Hearing – Subdivision (Continued)
Jeffrey Hertel

At 6:52 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).

It was noted that applicant was not present at the meeting with no prior notification despite being advised to let the Town know if a continuance would be needed. ***Stan Dudrick made a motion, seconded by John Hedden, to deny the application without prejudice based on failure to appear or notify the Town of a requested continuance. Motion unanimously carried.***

Public Hearing – Subdivision
Michael & Holly Henault

At 6:58 pm, Chairman Sullivan re-opened the Public Hearing on an application from Michael & Holly Henault for a two-lot subdivision on Youngs Road (R04-028-B).

Burke York, representative for the Henaults, explained that the Variance granted by the Zoning Board allows the subdivision to meet NHDES standards. Chairman Sullivan noted that the setbacks were the only noted issue.

At 7:05 Chairman Sullivan opened the Hearing for public comment. Tom Costello question the road frontage of the proposed lot. Burk York stated that is approximately 400 feet.

At 7:08 Chairman Sullivan closed the Public Hearing. ***Stan Dudrick made a motion, seconded by Peter Klose, to Grant Subdivision Approval conditional upon State Subdivision approval. Motion unanimously carried.***

Public Hearing – Site Plan Review
Emily Bridgham

At 7:13 pm, Chairman Sullivan opened the Public Hearing on an application from Emily Bridgham for Site Plan Review of a short-term rental/transient lodging at 2620 Eaton Road (R04-018).

All notices had been posted, all fees paid, and abutters notified. Heather McKendry recused herself due to a conflict of interest. ***Joyce Blue made a motion, seconded by John Hedden, to accept the complete application for consideration. Motion unanimously carried.***

Emily Bridgham gave an overview of the property and rental history. Emily Bridgham stated that she was unaware of the Town approval process until recently. Emily Bridgham stated that there have never been issues with the well or septic system and has never received complaints from neighbors. Peter Klose questioned whether she stays at the house and Emily stated that they do use the house. Joyce Blue expressed appreciation to Emily Bridgham for seeking compliance with Town regulations.

At 7:20 pm, Chairman Sullivan opened the Hearing for public comment. Nora Keith stated that she lives across the street and noted there have been no issues. Tom Costello spoke in favor of the application.

At 7:32 pm, Chairman Sullivan closed the Public Hearing. ***Peter Klose made a motion, seconded by Joyce Blue, to Grant Site Plan Review Approval conditional upon***

inspection of the septic system in the spring, which proves that the system is functional and adequate. Motion unanimously carried.

Public Hearing – Steep Slope Development (Continued)
Matthew & Tucker Watson

At 7:45 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) for Board deliberations. Matthew & Tucker Watson joined the Hearing via Zoom.

John Hedden noted that grandfathered rights do exist but there is limited clarity as to what exactly is grandfathered. Joyce Blue stated that she was at the site visit in the fall of 2020 and noted that work had been done to the driveway to the ridge and feels that the entire driveway should be grandfathered. Stan Dudrick noted that he has not walked the property but agrees that the entire driveway should be grandfathered as their intention for a driveway to the top was made known during the building process. Heather McKendry noted that it was the intent to convert the logging road to a driveway and that work was done before adoption of the Steep Slope Ordinance, thereby making the driveway grandfathered.

John Hedden questioned the impact of this decision. Chairman Sullivan stated that prior to the adoption of the Steep Slope Ordinance, no driveway permit was needed as it is located on a private road. Heather McKendry noted that NHDOT allows for a 15% grade. Chairman Sullivan stated that their intent was to construct a parking area and then utilize a path through the woods to access the top of the property. Stan Dudrick stated that the Watson submitted a plan because they were trying to comply with the Town's regulations and did not know about grandfathering at that time. Chairman Sullivan stated that the extension of the driveway from the parking area is not grandfathered and noted that he exchanged emails with Counsel, who concurred with that decision.

Peter Klose stated that there is equipment at the ridge of the property and questioned how it got there if there is no driveway. Stan Dudrick noted that the Board was awaiting further clarification from Counsel. Tucker Watson stated that they did not pursue the matter further with their attorney as they thought the pictures and videos would be sufficient evidence. Peter Klose stated that Counsel should give the Board a definite answer as to what exactly is grandfathered.

John Hedden made a motion, seconded by Heather McKendry, to recess this Public Hearing until 6:15 pm on March 9, 2022. Motion unanimously carried.

Joyce Blue made a motion, seconded by John Hedden, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 8:43 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

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

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, March 9, 2022. Present were Chairman Dennis Sullivan, Peter Klose, 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 Alternate Bryant to act as a regular member for this meeting.

Zoning Board Chair Steve Larson met with the Board to discuss recent cases and suggested review of the Zoning Ordinance by the Planning Board. Steve Larson explained that the required 125-foot setback for septic systems should be reviewed and possibly revised to agree with the State's 50-foot setback from poorly drained soils. Steve Larson explained that under the Special Exception requirements for a Home Business, the concept of "no external evidence" should be revised to possibly state a minimal amount of evidence or require that any evidence be screened from view. Steve Larson suggested that the Board review the listing of permitted uses in the Residential District. Chairman Sullivan noted that the Board has that item on their agenda for review and revision this year.

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 & Tucker Watson joined the Hearing via Zoom.

Chairman Sullivan explained that Town Counsel reviewed the additional information submitted by the Watsons and advised that the driveway should be grandfathered to the ridge. ***Joyce Blue made a motion, seconded by Peter Klose, that based on Counsel's opinion, to accept the Watsons' driveway as grandfathered from the private road to the top of the ridge. Motion unanimously carried.***

Matt Watson requested that his application for the Steep Slope Development be withdrawn based on the finding of grandfathered rights. ***Stan Dudrick made a motion, seconded by Joyce Blue, to accept the applicant's withdrawal of the application and to close the case. Motion unanimously carried.*** Joyce Blue thanked the Watsons for their patience during the long process of determining the grandfathered status of the driveway.

Review of Minutes

The Board reviewed and amended the Minutes of February 9, 2022. ***Joyce Blue made a motion, seconded by John Hedden, to adopt the Minutes as amended. Motion unanimously carried.***

Selectmen's Report

Joyce Blue gave an update on the Selectmen's agenda and noted that beginning next month, Ed Reilly will be the Selectmen's Representative to the Planning Board. Joyce Blue explained that the Board will begin holding work sessions to review possible capital projects in an effort to schedule larger projects to maintain a level tax rate.

Conservation Commission

Chairman Sullivan gave an overview of the recent presentations by the Conservation Cohorts and noted that they will begin working on a conservation plan for the Town.

Administration

Chairman Sullivan explained that he has been monitoring the status of SB249 which regulates short-term rentals and noted that if the Bill is adopted by the State, it could invalidate the Town's new regulation.

Burke York joined the Board with final plans for the Henault subdivision. Chairman Sullivan stated that State Subdivision approval has been received by the Town. Chairman Sullivan signed the plans.

It was noted that the Board will be electing officers at the April meeting and that the By-Laws should be reviewed for possible amendments. ***Peter Klose made a motion, seconded by Thaire Bryant, to change the Planning Board meeting time to 6:30 beginning in April. Motion unanimously carried.***

The Board reviewed the proposed Land Use Regulation amendments and scheduled the Public Hearing for the April 13th meeting.

Stan Dudrick gave an overview of the County Broadband Committee and noted that the next meeting is scheduled for March 16th.

The Board reviewed the listing of items to be addressed by the Board with members volunteering to begin work on drafting amendments.

Joyce Blue made a motion, seconded by John Hedden, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 8:00 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
April 13, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, April 13, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Heather McKendry, John Hedden, Stanley Dudrick, Alternate Thaire Bryant and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:30 pm. Chairman Sullivan appointed Alternate Bryant to act as a regular member for this meeting.

Preliminary Discussion -- Kittredge

Bill Kittredge met with the Board regarding a possible subdivision of his property on Thompson Hill Road. Bill Kittredge explained that he received approval for an ADU but would like to enlarge the residence and, therefore, will pursue subdividing a five acre lot. Bill Kittredge questioned whether the entire remaining 90 acres needs to be surveyed or if the Board can waive that requirement. Chairman Sullivan noted that the Board will want to be sure that the lots are buildable and that the remaining 90 acres would not pose concerns. Chairman Sullivan noted that the soils on the five acre lot must be mapped.

Preliminary Discussion -- Powers

Jay Hastings met with the Board regarding a possible subdivision of the Powers property on Hatch Hill Road and questioned whether a boundary survey could be conducted on only the parcel being subdivided out and not the remaining 60 acres. Chairman Sullivan noted that soil details will not be required for the entire lot but that soil types will be required for the septic and building areas. Chairman Sullivan noted that the subdivision plan must show the possible driveway location as it must comply with the Steep Slope Ordinance of no more than a 10% slope. Jay Hastings questioned whether a HISS study is required for the entire lot as it will be more than 5 acres. Chairman Sullivan noted that the Town adopted Site Specific Soil Surveying and that based on the soil types shown on the NRI map, it does not appear that soils will be an issue.

Public Hearing – Land Use Regulation Amendments

Chairman Sullivan opened the Public Hearing on proposed amendments to the Subdivision, Site Plan Review and Cluster Development Regulations and read the Public Notice.

The Board reviewed and amended the proposed amendments. The Board opened the Hearing to public comment. There being no comments, Chairman Sullivan closed the Public Hearing at 7:25 pm. The Board will post the updated amendments and hold a second Public Hearing on Wednesday, May 11th, at 6:45 pm.

Review of Minutes

The Board reviewed and amended the Minutes of March 9, 2022. ***Peter Klose made a motion, seconded by John Hedden, to adopt the Minutes as amended. Motion unanimously carried.***

Selectmen's Report

Ed Reilly noted that the bridge contracts will be addressing a punch list for the Potter Road bridge this spring. Ed Reilly explained that the Selectmen have been focusing on creating a capital project listing with associated costs. Ed Reilly stated that the Board is also working on updating the Town Land Use Ordinance and permit application.

Conservation Commission

Heather McKendry gave an update on the Commission and the focus of ways to protect Town lands. Heather McKendry noted that the Commission is working on possible methods of fund raising and gave an overview of using a QR code.

Election of Officers

Thaire Bryant nominated Dennis Sullivan as Chair, seconded by Heather McKendry. Motion unanimously carried. Dennis Sullivan accepted the nomination.

Heather McKendry nominated Peter Klose as Vice Chair, seconded by Thaire Bryant. Motion unanimously carried. Peter Klose accepted the nomination.

Ed Reilly made a motion, seconded by Thaire Bryant, to elect those nominated to office. Motion unanimously carried.

By-Laws & Rules of Procedure

The Board reviewed and amended the current Planning Board By-Laws. Terms of current members are as follows:

Stanley Dudrick – Term expires 2022	Dennis Sullivan – Term expires 2023
Frank Holmes – Term expires 2023	Thaire Bryant – Term expires 2024
Peter Klose – Term expires 2024	Heather McKendry – Term expires 2024
John Hedden – Term expires 2024	Ed Reilly – Term expires 2023

The Board reviewed and amended the current Rules of Procedure.

Heather McKendry made a motion, seconded by Thaire Bryant, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 9:08 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
May 11, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, May 11, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Heather McKendry, John Hedden and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:30 pm.

Review of Minutes

The Board reviewed the Minutes of April 13, 2022. ***Heather McKendry made a motion, seconded by John Hedden, to adopt the Minutes as written. Motion unanimously carried.***

Conservation Commission

Heather McKendry gave an update on the Commission and noted that the Commission has accepted the updated Natural Resource Inventory contingent on the approval by the Select Board. Chairman Sullivan gave an update on the Conservation Cohorts and Conservation Plan process.

Preliminary Discussion -- Conklin

Kevin Conklin met with the Board regarding a change of use of his property on Stewart Road and noted that the proposal is to hold 4 to 6 workshops per year with 10 to 12 participants. Kevin Conklin stated that the participants would be staying at the Snowvillage Inn. Chairman Sullivan stated that the use would be classified as a Home Business and that a Special Exception is required from the Zoning Board of Adjustment prior to Site Plan Review by the Planning Board. Chairman Sullivan stated that the proposed pond would require a Dredge & Fill Permit from the State and that all structures require a Building Permit from the Selectmen.

Public Hearing – Land Use Regulation Amendments

Chairman Sullivan opened the Public Hearing on proposed amendments to the Subdivision, Site Plan Review and Cluster Development Regulations and read the Public Notice.

The Board reviewed the proposed amendments. The Hearing was opened to public comment. There being no comments, Chairman Sullivan closed the Public Hearing at 6:50 pm. ***John Hedden made a motion, seconded by Peter Klose, to adopt the amendments as presented for the Subdivision, Cluster Development and Site Plan Review Regulations. Motion unanimously carried.***

Selectmen's Report

Ed Reilly noted that Town Beach is being prepared to open on Memorial Day Weekend. Ed Reilly explained that the Joint Board Meeting has been postponed.

By-Laws & Rules of Procedure

The Board reviewed and amended the current Planning Board By-Laws and Rules of Procedure. The amendments will be read again at the next meeting prior to adoption.

John Hedden made a motion, seconded by Heather McKendry, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 8:54 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
June 8, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, June 8, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Stanley Dudrick, 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 the Minutes of May 11, 2022. ***Stan Dudrick made a motion, seconded by Peter Klose, to adopt the Minutes as written. Motion unanimously carried.***

Board of Selectmen Report

Ed Reilly gave an update on Building Permits issued and projects being addressed by the Board.

By-Laws & Rules of Procedure

The Board reviewed and amended the proposed Planning Board By-Laws. ***Thaire Bryant made a motion, seconded by Stan Dudrick to adopt the By-Laws as amended. Motion unanimously carried.***

The Board reviewed the proposed Planning Board Rules of Procedure. ***Peter Klose made a motion, seconded by Thaire Bryant to adopt the Rules of Procedure as presented. Motion unanimously carried.***

Regulation Amendments

Chairman Sullivan explained that he has been researching the existing leach field setback of 125-feet from wetlands and noted that Board meeting Minutes do not relay the intent of the requirement. Chairman Sullivan stated that he discussed the issue with Matt Howe of Green Mountain Conservation Group, who recommended retaining the 125-foot requirement. Ed Reilly noted that Soil Scientist Greg Howard made a case at the Zoning Board meeting that 75-feet is sufficient. Chairman Sullivan stated that due to the increase in storms that flooding is more likely to occur but that the Ordinance can be amended to permit a lesser setback if the 125-feet is not possible. Chairman Sullivan noted that the setback could be waived for wetlands under a certain size. Peter Klose stated that if the Board pursues this type of amendment, there should be conditions to

test if the septic installation meets the intent of the Ordinance before a waiver is approved.

Chairman Sullivan stated that he also reviewed buffers for building near wetlands, streams and ponds to preserve wildlife. Chairman Sullivan will submit the NHDES model Wetlands Ordinance for the Board's review. Chairman Sullivan suggested adopting a 100-foot buffer for all structures.

Stan Dudrick gave an overview of small and large wind turbine systems and noted that there are sample ordinances to govern renewable energy. Information will be sent to Board members for review prior to next meeting.

Thaire Bryant submitted information on proposed amendments for Home Occupations and Home Businesses for review and discussion at the next meeting.

Peter Klose gave an update on groundwater and surface water protection. Peter Klose noted that the Town does not have a public water system but regulations could be adopted for water supply protection areas.

Thaire Bryant made a motion, seconded by Peter Klose, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 8:35 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
July 13, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, July 13, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Stanley Dudrick, John Hedden, Heather McKendry and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:30 pm.

Review of Minutes

The Board reviewed and amended the Minutes of June 8, 2022. ***Heather McKendry made a motion, seconded by Peter Klose, to adopt the Minutes as amended. Motion unanimously carried.***

Board of Selectmen Report

Ed Reilly gave an update on Building Permits issued and the newly-amended Town Land Use Ordinance and permit application.

Conservation Commission Report

Heather McKendry gave an update on the Conservation Commission, current methods for soliciting donations and updates to the website.

**Public Hearing – Scenic Road
Town of Eaton**

At 6:47 pm, Chairman Sullivan opened the Public Hearing on an application from the Town of Eaton to remove a tree on Foss Mountain Road, a designated Scenic Road pursuant to RSA 231:158. Chairman Sullivan explained the process for the Public Hearing. Due to a conflict of interest, Chairman Sullivan stepped down for this Hearing.

All notices have been posted and abutters notified. No correspondence was received. ***Stan Dudrick made a motion, seconded by Heather McKendry, to accept the application for consideration. Motion unanimously carried.***

Ed Reilly explained that the tree in question is dead and located at the turn-around on property owned by Marnie Cobbs. Marnie Cobbs stated that the tree does not appear to be dangerous and expressed concern that removal of the tree is so that the turn-around can be enlarged. David Weathers noted that if the Town knows the tree is a potential danger and does not take action, the Town could be liable for damages. Dennis Sullivan recommended that Ed Reilly recuse himself. Ed Reilly objected and stated that he

wanted to vote on the application. After much discussion, Ed Reilly recused himself from the vote. Heather McKendry noted that the tree is potentially a liability to the Town if not taken down. John Hedden stated that the tree is on private property and that the liability is on the property owner.

There being no further public comment, Vice Chairman Klose closed the public hearing at 7 pm. ***Stan Dudrick made a motion, seconded by Peter Klose, to approve the request to remove the tree. The vote was 2 yes, 2 no. John Hedden made a motion, seconded by Stan Dudrick, to vacate the vote and continue this application to August 10th at 6:45 pm. Motion unanimously carried.***

Public Hearing – Subdivision **Jeffrey Hertel**

At 7:05 pm, Chairman Sullivan opened the Public Hearing on an application from Jeffrey Hertel for a four-lot subdivision on Brownfield Road (R10-031). Chairman Sullivan explained the process for the Public Hearing.

All notices have been posted, fees paid and abutters notified. No correspondence was received. ***Peter Klose made a motion, seconded by Stan Dudrick, to accept the application for consideration. Motion unanimously carried.***

Wes Smith of Horizons Engineering submitted a letter from Jeffrey Hertel authorizing Van Hertel and Wes Smith to act as authorized representative for this application. Van Hertel gave an overview of the project and noted that the proposal is for four lots and that the HISS study has been completed. Chairman Sullivan noted that the plan needs to be amended to show correct ownership of the subject lot and to correct the address of an abutter.

Chairman Sullivan stated that the Board has reviewed the test pit report and asked if the data could be clarified. Wes Smith gave an overview of each test pit and the estimated seasonal highwater table. John Hedden questioned the driveways in regards to the mapped wetlands. Van Hertel stated that there is a culvert that was approved for the logging operation and stated that NHDES would rather the culvert not be disturbed. Peter Klose questioned the slope on Lot #3. Wes Smith noted it was an average of 7-1/2% slope and does not exceed 15% slope. Chairman Sullivan stated that the Town's regulation does not permit anything above a 10% slope. Van Hertel explained the proposed driveway construction, which will keep the slope under 10%.

At 7:27 pm, Chairman Sullivan opened the Hearing for public comment. Richard Stewart questioned whether a wetlands permit was obtained before installing the culvert. Van Hertel noted that the State was notified and explained that logging requirements are different. Van Hertel noted that he will submit a copy of the notification to the Town for the files. David Weathers stated that any culvert installed for an intent to cut must be removed after the logging operation is completed. David Weathers explained that the culvert does not meet State specifications and that a permit from NHDES will be required for the driveway. Van Hertel stated that the soil scientist will be asked to submit

a permit application for the driveway and culvert. Chairman Sullivan stated that the Town's regulation requires approved access for each lot.

Jeanne Basile stated that she would like her property lines clarified as there are new markings. Wes Smith noted that the trees are blazed along the property boundary. Van Hertel noted that additional flags can be used at the property line to make the actual boundary clearer.

David Weathers noted that there is no description of the soil types and asked if there is a chart to cross-reference for more information. Wes Smith stated that a listing can be provided. Chairman Sullivan asked whether a report from the Soil Scientist has been submitted. Wes Smith questioned why the report is needed as it is an additional cost to the applicant. Stan Dudrick noted that the plan shows buildable lots, but that there could be an issue with the culvert. Chairman Sullivan noted that the responsibility of the Planning Board is to approve lots that are buildable. Heather McKendry questioned whether the driveways will be installed prior to selling them. Van Hertel noted that the driveway for Lots #3 and #4 would not be constructed. Van Hertel stated that if conditional approval is given for the project, he would pursue NHDES approval for the shared driveway culvert for Lots #1 and #2. Heather McKendry stated that she wants to make sure that someone does not install a driveway that does not meet Town requirements regarding grades. Wes Smith stated that a note could be added to the plan. Ed Reilly questioned whether the intent is to obtain NHDES approval without actually installing the culvert. Van Hertel stated that he would have the culvert installed. Wes Smith noted that wording can be added to the plan and deeds regarding the shared driveways. Wes Smith also noted that the Wetlands Permit number will be added to the plan.

John Hedden questioned the location of the septic system on Lot #1. It was noted that the system will be shown in a slightly different location to make sure that the required wetland setbacks are met.

There being no further public comment, Chairman Sullivan closed the Public Hearing at 8:09 pm. Chairman Sullivan noted that due to the number of outstanding items to be addressed, he would rather continue the Hearing than grant Conditional Approval. John Hedden noted that if there is an issue with the wetland crossing for the driveway, it could alter the design of the lots and would rather know if the proposal is approved by NHDES.

The following is a list of items to be addressed:

1. Correction of property owner information for the subject lot.
2. Correction of abutter mailing address.
3. Correction of test pit numbers and location.
4. The 4K area shown on the plan for septic systems to be no closer than 125-feet from any wetlands.
5. Addition of plan notes regarding the shared driveways and language to be inserted into the property deeds.

6. Note on the shared driveway for Lots #3 and #4 regarding construction to meet Town Steep Slope Ordinance requirements.
7. NHDES approval for a culvert in the shared driveway for Lots #1 and #2.
8. Plans to be stamped by the Soil Scientist.
9. Wetlands Permit number to be added under the wetland notes.

John Hedden asked about information on the soil types and Wes Smith stated that he will provide that information to the Board.

John Hedden made a motion, seconded by Stan Dudrick, to continue this Public Hearing to August 10th at 6:45 pm. Motion unanimously carried.

Stan Dudrick made a motion, seconded by Heather McKendry, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 8:53 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
August 10, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, August 10, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Stanley Dudrick, John Hedden, Alternate Thaire Bryant and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:30 pm.

Chairman Sullivan explained that Heather McKendry has submitted her resignation to the Board effective immediately. Chairman Sullivan appointed Thaire Bryant to act as a regular member for this meeting. Chairman Sullivan gave an overview of on-going discussions with legal counsel regarding when a member should step down from a vote.

Review of Minutes

The Board reviewed and amended the Minutes of July 13, 2022. ***John Hedden made a motion, seconded by Peter Klose, to adopt the Minutes as amended. Motion unanimously carried by roll call vote.***

Chairman Sullivan read the Public Notice and explained the process for Public Hearings.

Public Hearing – Scenic Road (Continued)
Town of Eaton

At 6:45 pm, Chairman Sullivan re-opened the Public Hearing on an application from the Town of Eaton to remove a tree on Foss Mountain Road, a designated Scenic Road pursuant to RSA 231:158.

Ed Reilly explained that the position of the tree at the turn-around causes concern for staff during night winter maintenance. Thaire Bryant questioned the liability for the Town. Ed Reilly noted that he is not sure if the Town or property owner would be liable. Thaire Bryant noted that the Selectmen have the obligation to minimize financial issues for the Town. Stan Dudrick noted that the tree is a possible liability and that the tree should be removed rather than letting it fall and become a safety risk. John Hedden noted that the tree is not scenic and possibly a risk to drivers on the road.

Chairman Sullivan opened the hearing for public comment. There being none, the Hearing was closed. Chairman Sullivan stated that property owner Marnie Cobbs expressed concerns about the road being widened and the turn-around being expanded. Chairman Sullivan noted that he is in agreement that the tree does not have scenic value. ***Stan Dudrick made a motion, seconded by Peter Klose, to approve the request to remove the tree. Motion unanimously carried by roll call vote.***

Public Hearing – Subdivision
Jeffrey Hertel

At 7:03 pm, Chairman Sullivan re-opened the Public Hearing on an application from Jeffrey Hertel for a four-lot subdivision on Brownfield Road (R10-031).

Wes Smith of Horizons Engineering submitted an updated plan and noted that the lot lines have been adjusted to fall in the center of the shared driveways. The Board reviewed the plan and noted compliance with each of the conditions from last month's hearing. Wes Smith noted that a Wetlands Permit from NHDES is being prepared for the shared driveway on lots 1 and 2. Wes Smith submitted a document listing the soil classifications for the Board's review.

Chairman Sullivan noted that there is an old logging road near the northwest corner of the property that should be addressed as it crosses the wetlands. Wes Smith stated that the only access to the four lots are the two designated shared driveways. Chairman Sullivan stated that the old logging road should at least be blocked off so that it cannot be used in the future. Wes Smith noted that approval from NHDOT for the two shared driveways is being sought. Wes Smith explained that the driveway for Lot #4 cuts across the slope so that it will remain below the required grade.

John Hedden questioned the marked area on Lot #1. Wes Smith noted that it is the area affected for the Wetlands Permit and noted that the culvert size is determined by the State during the permit process.

Chairman Sullivan opened the Hearing for public comment. There being none, Chairman Sullivan closed the Public Hearing. Wes Smith suggested continuing the Hearing until next month so that the Board can review the plans.

Peter Klose made a motion, seconded by Thaire Bryant, to continue this Public Hearing to September 14th at 6:45 pm. Motion unanimously carried by roll call vote.

Public Hearing – Site Plan Review
Lorraine Bassett & Kevin Conklin

At 7:36 pm, Chairman Sullivan opened the Public Hearing on an application from Lorraine Bassett & Kevin Conklin for Site Plan Review for a Home Business at 461 Stewart Road (R12-001-H).

All notices had been posted, all fees paid, and abutters notified. Thaire Bryant recused himself due to a conflict of interest as an abutter. **Stan Dudrick made a motion, seconded by John Hedden, to accept the complete application for consideration. Motion unanimously carried by roll call vote.**

Kevin Conklin gave an overview of the proposed home business and noted that he has been granted a Special Exception by the Zoning Board of Adjustment. Kevin Conklin

submitted a letter for the Board's review addressing all conditions to be met for Site Plan Review approval. The Board reviewed a plan showing the proposed parking area.

Chairman Sullivan opened the Hearing for public comment and read a letter from the Murphy's expressing their support for this application. Thaire Bryant stated that he has no objection to the proposed use. There being no further comment, Chairman Sullivan closed the public hearing.

Chairman Sullivan stated that the Site Plan Review regulations require a more detailed map but that all necessary information has been provided. ***John Hedden made a motion, seconded by Stan Dudrick, to waive the requirement for a formal, survey map. Motion unanimously carried by roll call vote.***

John Hedden made a motion, seconded by Peter Klose, to approve the application as presented as all conditions have been met. Motion unanimously carried by roll call vote.

Select Board Report

Ed Reilly gave an update on Building Permits issued and reminded the Board of the Joint Board meeting to be held on September 19th at 6 pm. Ed Reilly noted that the Household Hazardous Waste Collection Day is scheduled at the Conway Transfer Station for September 24th.

Conservation Commission Report

Chairman Sullivan noted that the Commission meeting was postponed until next week and that a new Planning Board representative is needed.

Zoning Board of Adjustment Report

Stan Dudrick gave an overview of the last ZBA meeting and the Public Hearing decisions.

Thaire Bryant made a motion, seconded by Stan Dudrick, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 8:40 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
September 14, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, September 14, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Stanley Dudrick, John Hedden and Selectmen's Representative Ed Reilly. The meeting was called to order at 6:33 pm.

Chairman Sullivan explained that three residents have expressed an interest in joining the Planning Board. Kevin Conklin, Judy Wilson and Liam Lombard introduced themselves to the Board.

Review of Minutes

The Board reviewed the Minutes of August 10, 2022. ***Stan Dudrick made a motion, seconded by Peter Klose, to adopt the Minutes as written. Motion unanimously carried by roll call vote.***

Select Board Report

Ed Reilly gave an update on Building Permits and the status of the short-term rental properties. Ed Reilly noted that the Board should review the requirements for the Findings of Fact and create a work sheet to be used for Public Hearings.

Public Hearing – Subdivision (Continued)

Jeffrey Hertel

At 6:48 pm, Chairman Sullivan re-opened the Public Hearing on an application from Jeffrey Hertel for a four-lot subdivision on Brownfield Road (R10-031).

Wes Smith of Horizons Engineering noted that the plans have not yet been stamped by the soil scientist and submitted updated plans. Wes Smith also submitted copies of plans to be submitted with the wetland application to the State. Wes Smith explained that the 4K area on Lot 1 is now out of the setbacks and that a note has been added that there shall be no other access to the sites other than those approved by the Planning Board. Wes Smith noted that NHDOT driveway approval has not yet been received and that the sample driveway easement language is being worked on.

Ed Reilly questioned the size of the culvert for the shared driveway to Lots #1 and #2. Wes Smith noted that the proposal is for an 18" RPC culvert, which is proposed in the wetlands permit application. Chairman Sullivan questioned the access to the four lots. Wes Smith noted that the old logging road will be blocked off and that the shared

driveways are on the boundary lines of each property. Wes Smith stated that notes regarding the steep slopes for driveway construction have been added to the plan.

Peter Klose questioned whether the State will require any mitigation on the 1400 square feet of disturbed wetlands. Wes Smith indicated that the permit fee covers a penalty for the impact area and no mitigation is required because it is under 3000 square feet.

Chairman Sullivan opened the Public Hearing for public comment. Judy Wilson questioned the plan for utilities. Wes Smith noted that there is no requirement for underground utilities and that the plan is up to the new owner. There being no further comment, Chairman Sullivan closed the Public Hearing.

Stan Dudrick noted that a conditional approval would have a list of conditions. Chairman Sullivan noted that the plans cannot be signed until all conditions have been fully met and if there are any changes, the Board would have to reconvene the Hearing.

Conditions for approval:

1. Plan to be stamped and signed by Certified Soil Scientist.
2. NHDES Wetlands Permit approval with Permit # shown on the plan.
3. NHDOT Driveway permit approval with Permit # shown on the plan.
4. Payment of all Yield Taxes.
5. Submission of proposed shared driveway language for the deeds.
6. Plan to show "monument set" rather than "rebar to be set".

Stan Dudrick made a motion, seconded by Peter Klose, to Conditionally Approve this Subdivision application (see 6 conditions above) and to authorize the Chair to sign the plan out of session once all six conditions have been met. Motion unanimously carried by roll call vote.

Conservation Commission Report

Chairman Sullivan gave an update on the Commission and their current projects. Chairman Sullivan noted that the Conservation Cohorts will be holding a presentation on waters in Eaton.

Zoning Board of Adjustment Report

Stan Dudrick gave an overview of the last ZBA meeting and the Public Hearing decision.

Administrative

The Board of Selectmen held a Public Hearing on the Planning and Zoning Board application fees and have raised the fees to cover all applicable costs.

Land Use Regulation Amendments

The Board received a proposed amendment regarding Home Occupations and Home Businesses. The Board will review the materials for discussion at their next meeting.

John Hedden explained that he will work on the permitted uses in each District and submit information for the next meeting.

Chairman Sullivan noted that he has a draft Wetlands Ordinance from NHDES which would create a buffer zone around the wetlands to reduce building to be reviewed by the Board at the next meeting.

Peter Klose made a motion, seconded by John Hedden, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 9:05 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
October 12, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, October 12, 2022. Present were Chairman Dennis Sullivan, Stanley Dudrick, John Hedden, 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 and welcomed the new members to the Board. Chairman Sullivan gave an overview of RSA 91-A regarding communications between Board members.

Review of Minutes

The Board reviewed the Minutes of September 14, 2022. ***Stan Dudrick made a motion, seconded by Judy Wilson, to adopt the Minutes as written. Motion unanimously carried by roll call vote.***

Chairman Sullivan read the Public Notice and gave an overview on procedures for the Public Hearing.

**Public Hearing – Site Plan Review
John Edge & Community Church of Eaton**

At 6:45 pm, Chairman Sullivan opened the Public Hearing on an application from John Edge & Community Church of Eaton for Site Plan Review for a parking lot and sidewalk on Eaton Road (U01-010A and 008).

All notices had been posted, all fees paid and abutters notified. There were no members with a conflict of interest. ***Stan Dudrick made a motion, seconded by Thaire Bryant, to accept the complete application for consideration. Motion unanimously carried by roll call vote.***

Ted Wright and James Hayden of Horizons Engineering were authorized by the property owners to act as agents for this application. Ted Wright gave an overview of the parking area and proposed walkway between the parking and Church lots. Thaire Bryant questioned if permission is necessary as the sidewalk is on property owned by the Town. Ted Wright noted that the walkway is within the State right-of-way.

Ed Reilly questioned the issue of liability if the walkway crosses Town lands and asked if the State will be maintaining the walkway. James Hayden noted that if the walkway is within the State right-of-way, the church will take care of the maintenance. Ed Reilly stated that there are State statutes that cover sidewalks and that Town Counsel should be consulted to make sure the Town is not assuming any liability. Thaire Bryant noted

that it makes sense to split this application into two sections, the parking lot and the walkway. Ed Reilly noted that with the Select Board's approval, a document could be drafted and forwarded to Town Counsel for review to release the Town from any and all liability related to the proposed walkway.

Judy Wilson noted that there is a slope in front of the cemetery and questioned whether materials would be removed as there is not much room. James Hayden stated that there is 13 feet from the edge of the road to the stone wall at the front of the cemetery.

Stan Dudrick questioned whether there will be any signage. Ele Border noted that there will be a sign but no formal plan has been adopted. Joyce Blue noted that there will be lighting for the parking and walkway area but that they will be turned on only for events. Joyce Blue stated that the new lot will be called "Libby's Garden". Stan Dudrick questioned whether the lot will be used for any other activity such as tent events. Joyce Blue stated that the Church does not anticipate any activity other than parking.

James Hayden gave an overview of the gravel parking area and the measures to be taken to protect the wetlands during construction. John Hedden requested that more information be given regarding the surface, drainage and layout. James Hayden explained that there are 36 parking spaces and gave an overview of the drainage/runoff and the vegetative strip. James Haden stated that the plan is to cut and fill to level the parking area. Thaire Bryant questioned whether approval has been granted for the driveway. James Hayden noted that the State is aware of the project but that formal application has not yet been submitted.

Chairman Sullivan questioned the distance between the parking space and the stream. James Hayden noted it is approximately 15 feet. John Hedden questioned whether the trees will be removed. James Haden noted that the only trees to be removed are those in the parking area. Stan Dudrick questioned the chain link fence and James Hayden noted it will be removed.

Chairman Sullivan opened the Public Hearing for public comment. Paul Hennigan questioned the width of the State highway and indicated that it should be shown on the plan so that actual area for the walkway would be seen. Paul Hennigan explained that there is a culvert under the road in that area that could be a liability issue. Ted Wright questioned what measurements should be shown. Paul Hennigan stated that measurements from the centerline of the road to the edge of the right-of-way should be shown. Ted Wright stated that it is a 50-foot right-of-way and that the sidewalk is 16 feet from the centerline of the road and noted that the measurements will be added to the plan. Joyce Blue explained that they met with NHDOT staff on site to review the walkway and were told that it would not be an issue and that the gravel walkway will be an extension of the shoulder. There being no further public comment, Chairman Sullivan closed the public comment period at 7:27 pm.

Judy Wilson questioned whether there would be a shoulder and then the walkway. Ted Wright explained that the walkway will appear to be a widened shoulder. Chairman Sullivan noted that groups should not be walking on the shoulder and that the walkway should be separated from the road.

Stan Dudrick questioned the winter snow melt run off. James Hayden explained that the current direction of run off toward the stream will not be altered. Chairman Sullivan questioned snow storage and James Hayden noted that it could be pushed to the rear of the lot but the lot will not be used during the winter. Ele Border stated that the Church does not anticipate plowing from January through March. Judy Wilson questioned whether salt or sand would be used for the parking area. Ele Border stated that if there are dangerous conditions for the December event, sand would be utilized.

Chairman Sullivan noted that the stream is the property boundary and that the closest parking space is 15 feet from that stream. Chairman Sullivan questioned the impact if the Board enforced a 30-foot setback from the stream. James Hayden noted that they would have to remove approximately two spaces from each side of the lot. Joyce Blue noted that the setback is for structures. Chairman Sullivan stated that he is thinking of the impact to the wetland area. James Hayden noted that due to the sloping, run off would flow toward the greenspace and noted that it is a gravel parking area rather than pavement. Chairman Sullivan closed the Public Hearing at 7:45 pm.

Ed Reilly questioned whether the application can be split so that the walkway is on hold until the issue of liability is determined. Chairman Sullivan noted that a condition could be placed on the approval. Ed Reilly questioned NHDES setbacks for parking areas to the wetlands. Chairman Sullivan noted that the wetlands are not being disturbed but the Board can require that all State setback requirements be met.

The Board conducted the Finding of Fact by utilizing the Site Plan Review worksheet. It was noted that the signs will require a Building Permit from the Board of Selectmen, who will verify proper placement. The Board found that the proposal meets all applicable requirements of the Zoning Ordinance and Site Plan Review Regulations. The Board listed the following conditions for approval:

1. NH DOT driveway permit.
2. Correction of plans (36 parking spaces on Sheet 4 and map number in note 4, District in note 9 and deed references for Edge properties on Sheet 3).
3. Sidewalk liability issue for portion of sidewalk on Town land to be determined and worked out between the Board of Selectmen and applicant.
4. Measurements of right-of-way and sidewalks to be added to plan.
5. Compliance with State setback requirements to the wetlands for parking lot to be added to the plan.

Ele Border stated that the Church does not have money like the Town and that she is unsure the Church's insurance company will accept the liability for the sidewalk. Judy Wilson noted that the Church is creating the sidewalk, thereby creating a possible liability issue. Ed Reilly stated that he would bring the issues of insurance and Town liability for the proposed sidewalk to the Select Board to see if they would agree to contact Town Counsel on those matters.

Stan Dudrick made a motion, seconded by John Hedden, to Conditionally Approve this Site Plan Review application pending the above-listed five conditions. Motion unanimously carried by roll call vote.

Select Board Report

Ed Reilly gave an update on issues being addressed by the Board and noted that a Building Permit for a single-family residence has been issued for Thurston Pond Road.

Conservation Commission Report

Chairman Sullivan gave an update on the Commission and their current projects. Chairman Sullivan noted that the Conservation Cohorts will be holding a presentation on November 17th.

Land Use Regulation Amendments

The Board scheduled a work session for Wednesday, November 2nd, at 1 pm and will work on the following:

1. Housekeeping amendments
2. Home Occupation/Business
3. Proposed amendments to permitted uses (Article V)

Kevin Conklin made a motion, seconded by Thaire Bryant, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 8:58 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
November 2, 2022**

The Planning Board held a work session at the Eaton Town Hall on Wednesday, November 2, 2022. Present were Chairman Dennis Sullivan, Stanley Dudrick, Peter Klose, Judy Wilson, Kevin Conklin, Alternate Thaire Bryant and Selectmen's Representative Ed Reilly. The meeting was called to order at 1:00 pm.

The Board reviewed the following proposed housekeeping amendments to the Zoning Ordinance:

1. Zoning Article IV, Section M. Lot

Remove the first sentence. It is redundant to the definition in Article XIV.

2. Zoning Article IV, Section N. Structure

Move event tents from first paragraph to third paragraph, i.e. no permit required, but time limits, setback requirements, and not on current use land. The Board agreed to allow event tents for 15 consecutive days per calendar year and that any platform for the tent requires a permit.

In second paragraph change "are not considered structures" to "do not require a building permit" (Structures are defined in Article XIV). The Board also agreed to add "deck" to the list of included structures requiring a permit.

3. Zoning Article V, Section D.3(a)

Change "The owner(s), or their notarized agent, if any proposed commercial .. to "The owner(s), or their notarized agent, **of** any proposed commercial... In last sentence strike "permanent or grandfathered" and "also" so it will read: "Any change in a commercial or industrial use shall require Site Plan Review by the Planning Board."

4. Zoning Article VI, Section 2

In third line change ". ..within one (1) year shall . .." to ..within two (2) years shall.. to bring it into conformance with RSA 674:28:III.

5. Zoning Article X

Language will be developed to state that appeals are to be filed within 30 days to the Zoning Board of Adjustment.

6. Zoning Article V, Sections A.3(a) and B.3(a)

(a) If the Special Exception is for Transient Occupancy/Short-Term Rental, the property shall be owner occupied ***during the entire time of rental.***

7. Zoning Article IV, Section U. Duplex

9. All Duplex unit may be used for Transient Occupancy/Short-Term Rental only by Special Exception.

The Board then reviewed and revised the proposed Home Occupation amendment:

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--The accessory use of a residential property, of a business or commercial nature, engaged in by the person(s) residing on that property. The use must be incidental to the residential use of the dwelling unit.

- 1) The Home Occupation must be an accessory use to the residential use of the property as a dwelling.
- 2) The operator of the Home Occupation must be a resident of the dwelling.
- 3) A maximum of one (1) employee may be a non-resident of the dwelling.
- 4) The Home Occupation will be carried on only within the principal or accessory building and there will be no commercial interruption of the residential character of the neighborhood.
- 5) Only one sign is allowed, and it will be no larger than 4 sq. feet.
- 6) The Home Occupation will not create, outside the building, any external evidence other than the permitted sign or business vehicle.
- 7) Any materials or equipment related to the Home Occupation will not be visible from the street or the abutting properties. The use of fencing, shrubbery and hedges is encouraged.
- 8) 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.
- 9) 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.
- 10) No more than 25% of the floor area of the dwelling or accessory dwelling unit, up to a maximum of 600 sq. ft. will be used for the Home Occupation.
- 11) A Home Occupation will have no impact detectable beyond the property boundaries. There will be no increase in traffic or types of traffic that will be

detrimental to the residential nature of the area nor any on-street parking or outside activity or visible storage of any kind.

- 12) 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.
- 13) Uses not permitted include, but are not limited to, car or truck repair, event venues, real estate agencies, or any business that has an adverse effect on other residential properties. Anything primarily of a retail or industrial use is not considered a Home Occupation.
- 14) Garage, yard or barn sales, garden produce sales or similar **temporary** activities are not considered a Home Occupation and are allowed.
- 15) All Home Occupations must adhere to all pertinent State regulations.

Peter Klose made a motion, seconded by Thaire Bryant, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 3:38 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**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

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
November 29, 2022**

The Planning Board held a work session at the Eaton Town Hall on Tuesday, November 29, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Stanley Dudrick, Judy Wilson, Kevin Conklin and Selectmen's Representative Ed Reilly. The meeting was called to order at 1:36 pm.

Review of Minutes

The Board reviewed and amended the Minutes of November 9, 2022. ***Stan Dudrick made a motion, seconded by Peter Klose, to adopt the Minutes as amended. Motion unanimously carried by roll call vote.***

Land Use Regulation Amendments

The Board reviewed and amended the proposed Zoning Ordinance Amendments:

Amendment: Zoning Article IV, Section M. Lot

M. Lot: ~~A parcel of land under separate title from adjacent property.~~ A lot is ~~capable of being~~ **may be** occupied by one residential building and one accessory dwelling unit and the accessory buildings or uses customarily incidental to it. A lot shall **must** be of sufficient size and soil types to meet Town regulations for subdivision, use, density, area and required setbacks. A lot proposed for a detached accessory dwelling unit may require additional area sufficient to meet Town regulations and State septic requirements. (Amended 3/10/1992, 3/12/2019)

Amendment: Zoning Article IV, Section N. Structure

N. Structure: Structures requiring a Building Permit and adherence to Town setbacks include, but are not limited to: buildings, barns, **decks, sheds,** gazebos, ~~event tents,~~ storage containers, patios, pools, solar panels (roof and pole mounts), retaining walls greater than 4 feet in height, fences over 6 feet tall or obstructing a driver's line of sight, and vehicular gates. A structure also includes all buildings made of fabric or material other than wood.

Camping tents and screen tents with no platforms do not require a Building Permit ~~but must adhere to all setback requirements.~~ **All setback requirements must be met.** Occupancy of a camping tent shall **will** not exceed 15 consecutive days for a maximum of 45 days per calendar year if there is no dwelling unit on the property. Any platform to accommodate a tent is considered a structure, requires a Building Permit and must adhere to all Zoning Ordinance

requirements. A camp site on land in Current Use cannot be improved without prior approval of the Board of Selectmen. (Adopted 3/8/2022)

Event tents do not require a Building Permit All setback requirements must be met. Event tents are permitted for 30 days per calendar year and may not be on land in Current Use. Any platform to accommodate an event tent is considered a structure and requires a Building Permit and must adhere to all Zoning Ordinance requirements.

Amendment: Zoning Article V – Zoning District Regulations, Section D.3(a)

D. Commercial and Light Industrial District – CI (Amended 3/9/2021)

3. Special Provisions

- a. The owner(s), or their notarized agent, if ***of*** any proposed commercial or industrial use shall ***will*** comply with all provisions of Subdivision and Site Plan Review regulations. Any change in a ~~permanent~~ or grandfathered commercial or industrial use shall ~~also~~ ***will*** require Site Plan Review by the Planning Board.

Amendment: Zoning Article X Zoning Board of Adjustment

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 ***will*** be a continuing body and become the Zoning Board of Adjustment (ZBA) of this Ordinance. It shall ***will*** 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 will have such powers and duties as set forth in RSA 674:33.*** The Board shall ***will*** hold public hearings on all cases properly before it and shall ***will*** give reasonable public notice thereof and reasonable notice by mail to all owners of property within 200 feet of the exterior boundaries ~~or~~ 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)

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 #8: Article V – Zoning District Regulations

A. Rural Residential District – RR (Amended 3/9/2021)

The following regulations will apply to the RR District: It shall be mainly a district of farms, residences and woodlands.

1. Permitted Uses:

- a. Farms.
- b. Roadside stands ***under 500 square feet*** for the sale of ***local*** farm products.
- c. Woodlots ***for personal use***.
- d. Stables and riding academies ***for personal use***.
- e. ~~Plant nurseries and greenhouses.~~
- f. A dwelling of no more than two (2) dwelling units.
(Amended 3/14/1989, 3/12/2019)
- g. ~~Churches and public buildings.~~
- h. Home occupations ***as set forth in Article VII***.
- i. Commercial enterprises existing on the date of the enactment of this ordinance.
- j. Gravel pits operated in the Jackson Forest by the Town of Eaton exclusively for its own use. (Added 3/8/1983)
- k. Multi-family dwelling units permitted in accordance with Site Plan Review Regulations of the Town of Eaton.
- l. Use accessory to the permitted use.

2. Special Exceptions: The following uses may be permitted if, the **Zoning** Board of Adjustment, after a public hearing and due notice to the abutters, finds the use meets the conditions as set forth in Section 3 below. Once Zoning Board of Adjustment approval has been obtained, the property owner shall obtain Site Plan Review approval by the Planning Board. (Amended 3/8/2022)

- a. Veterinary hospitals ***of up to 5,000 square feet provided that they are located on a lot of at least four (4) acres and are set back from abutters by at least 100 feet.*** (As amended 3/14/2006)
- b. ~~Restaurants.~~ ***Equestrian Riding Academies.***
- c. Tenting or Recreational Vehicle areas, providing that they are located on a lot of at least four (4) acres, plus two thousand (2000) square feet of land area for each sleeping/dwelling unit.

- d. Retail sales of antiques, art pieces, **and** crafts ~~and handiwork~~ when an accessory use to the residence.
 - e. ~~Hotels, motels, inns, cabins,~~ Bed and Breakfast/Transient Occupancy/Short-Term Rentals (as set forth in Article IV, Section V) or other transient lodgings provided that they are located on a lot of four (4) acres plus two thousand (2000) square feet of land area for each sleeping room not having more than 4 beds. (Amended 3/8/2022)
 - f. ~~Hospitals, rest homes and convalescent homes provided they are located on a lot of four (4) acres, plus two thousand (2000) square feet of land for each sleeping room not having more than 4 beds.~~
 - g. Uses, buildings and structures that would be accessory to a use permitted in the above sections 1(a) to 1(k) and claimed by the landowner as the primary use of the structure, whether or not the structures and/or activities associated with the primary use exist and/or are being conducted. (Added 3/09/2010)
3. **Special Exception Conditions.** The Zoning Board of Adjustment may grant a Special Exception only if the following conditions are met: (Adopted 3/8/2022)
- f. There shall be no outdoor display of goods or outdoor storage of materials and/or equipment unless screened from roads and surrounding properties by natural or structural means to such an extent and in such a manner as may be specifically required and approved by the **Zoning** Board of Adjustment or Planning Board.

Amendment #9: Article V – Zoning District Regulations

B. Village District – V (Amended 3/9/2021)

The following regulations shall apply to the Village District: The District shall consist mainly of residences, community buildings and neighborhood businesses. Great care shall be taken to ensure that any proposed uses do nothing to disturb the general character and scenic qualities **of the Village District and the Town**. The height and location of any new structure shall **will** ensure the protection of all scenic views and historic structures and areas.

1. Permitted Uses (**may require Planning Board Site Plan Review**):

- a. Any use permitted in the Rural Residential District.
- b. A dwelling of no more than two (2) dwelling units. (Amended 3/14/1989)
- c. Neighborhood stores for sale of goods at retail, service establishments providing neighborhood services, but excluding automobile sales, **fueling** services and **vehicle** storage.

- d. Public buildings, theaters and other places of public assembly.
- e. Antique shops, restaurants, offices, and banks **and other small scale commercial businesses.**
- f. Production of goods sold ~~at retail~~ on the premises such as bakeries, **and** handcrafts, ~~and the like.~~

3. Special Exception Conditions. The Zoning Board of Adjustment may grant a Special Exception only if the following conditions are met: (Adopted 3/8/2022)

- f. There shall be no outdoor display of goods or outdoor storage of materials and/or equipment unless screened from roads and surrounding properties by natural or structural means to such an extent and in such a manner as may be specifically required and approved by the **Zoning** Board of Adjustment or Planning Board.

The Board scheduled the Public Hearing for the proposed Zoning Ordinance amendments for December 14th.

Peter Klose made a motion, seconded by Ed Reilly, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 4:26 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner

**TOWN OF EATON
PLANNING BOARD
December 14, 2022**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, December 14, 2022. Present were Chairman Dennis Sullivan, Peter Klose, Judy Wilson, Kevin Conklin, John Hedden, 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 the Minutes of November 29, 2022. ***Kevin Conklin made a motion, seconded by Peter Klose, to adopt the Minutes as written. Motion unanimously carried by roll call vote.***

Conservation Commission Report

Chairman Sullivan gave an update on the Conservation Commission and explained that the Commission is working on Town land boundaries and deeds.

Public Hearing – Subdivision

Tracie Kittredge

At 6:45 pm, Chairman Sullivan opened the Public Hearing on an application from Tracie Kittredge for a two-lot subdivision at 114 Thompson Hill Road (R11-042). 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. ***Thaire Bryant made a motion, seconded by Peter Klose, to accept the application for consideration. Motion unanimously carried by roll call vote.***

Ron Briggs gave an overview of the proposed subdivision and noted that the proposed new lot is 2.95 acres and that the wetlands were delineated by Soil Scientist Peter Cooperdock. Ron Briggs noted that the residence started as an approved ADU but that the owner wants to increase the square footage.

Ron Briggs noted that two waivers have been submitted: one to waive the surveying of the entire lot and the second to waive the site specific soil mapping. Ron Briggs explained that the spirit of the ordinance has been met as the proposed lot already contains a well, septic system and residence. Chairman Sullivan noted that the Board can only waive mapping on a lot greater than five acres. Ron Briggs noted that the

circumstances of this subdivision may permit the Board to waive the requirement as the septic system has already been approved and installed. The Board reviewed the soil classifications and lot size calculations shown on the proposed plan.

Judy Wilson questioned whether the proposal is for a three-bedroom residence. Bill Kittredge noted that the residence exists and that the proposal is to add a second floor with no changes to the footprint.

Chairman Sullivan opened the hearing for public comment. There being none, Chairman Sullivan closed the Public Hearing for public comment at 7:20 pm.

The Board considered the waiver request to Section 4.08.a.i of the Subdivision Regulations requiring that boundaries of the entire parcel to be subdivided to be shown. Chairman Sullivan noted that this waiver is reasonable as the lot will remain at over 90 acres. ***Kevin Conklin made a motion, seconded by John Hedden, to grant the waiver for not surveying the entire 90-acre parcel of land. Motion unanimously carried by roll call vote.***

The Board considered the waiver request to Section 4.06.e of the Subdivision Regulations permitting the Board to waive the Site Specific Soil Map requirements of lots greater than five acres. Thaire Bryant noted that a soil scientist delineated the wetlands. Chairman Sullivan noted that 110,000 square feet of land should be adequate for a subdivided lot. John Hedden noted that the County maps indicates that this area may be mildly well-drained soils. Kevin Conklin questioned why more testing is needed. Chairman Sullivan noted that the testing will show the specific soils of the lot, which would prove that they are adequate for the intended use. Peter Klose noted that there is an approved septic system so feels additional testing is not necessary. Ron Briggs noted that the five acre requirement may have come from the State as they approve all subdivisions for lots under five acres. Chairman Sullivan stated that the mapping would clarify that the proposed lot meets all size requirements. Judy Wilson noted that this is a unique situation as the septic system and residence are already constructed on this lot.

Chairman Sullivan stated that if the proposed lot is increased to five acres, the Board can use the County soil maps to determine required lot size. Peter Klose noted that the Board is to uphold the intent of the regulations and that the waiver is reasonable. Chairman Sullivan noted that in the future the lot could be further developed so the Board needs to make sure that the lot size is adequate.

Thaire Bryant made a motion, seconded by John Hedden, to recess this Public Hearing until January 11, 2023 at 6:45 pm. Motion unanimously carried by roll call vote.

Public Hearing – Proposed Zoning Ordinance Amendments

At 8:18 pm, Chairman Sullivan opened the Public Hearing on the Proposed Zoning Ordinance amendments.

Amendment #1 relative to Lots (Article IV, Section M). ***Thaire Bryant made a motion, seconded by John Hedden to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #2 relative to Structures (Article IV, Section N). ***Peter Klose made a motion, seconded by Judy Wilson to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #3 relative to Zoning District Regulations (Article V, Section D.3(a)). ***Kevin Conklin made a motion, seconded by Judy Wilson to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #4 relative to Non-Conforming Lots, Uses and Structures (Article VI, Section 2). ***Kevin Conklin made a motion, seconded by Judy Wilson to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #5 relative to the Zoning Board of Adjustment (Article X). ***Judy Wilson made a motion, seconded by John Hedden to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #6 relative to Duplexes (Article IV, Section U). ***Kevin Conklin made a motion, seconded by Peter Klose to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #7 relative to Home Occupations (Article VII). ***Thaire Bryant made a motion, seconded by John Hedden to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #8 relative to the Rural Residential District (Article V, Section A). ***Kevin Conklin made a motion, seconded by John Hedden to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Amendment #9 relative to the Village District (Article V, Section B). The Board amended item 1.f from “bakeries” to “baked goods.” ***Peter Klose made a motion, seconded by Kevin Conklin to put this proposed Zoning Ordinance amendment on the 2023 Town Meeting Warrant. Motion unanimously carried.***

Select Board Report

Ed Reilly gave an update on the Select Board and noted that a Public Hearing was held regarding the County Communications District for broadband internet services.

Chairman Sullivan reported that at the request of the property owner, a site visit was conducted on Lary Road for tentative development. Chairman Sullivan noted that all of the land is within the Steep Slope and/or Ridgeline Protection Zone requiring Planning Board approvals prior to issuance of Building Permits.

John Hedden made a motion, seconded by Thaire Bryant, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 8:54 pm.

Respectfully submitted,

Lianne Boelzner

Lianne Boelzner