

**TOWN OF EATON
PLANNING BOARD
March 19, 2025**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, March 19, 2025. Present were Chairman Dennis Sullivan, Vice Chair Kevin Conklin John Hedden, Cindy Hall and Selectmen's Representative John Schmerfeld. The meeting was called to order at 6:00 pm.

Review of Minutes

The Board reviewed the Minutes of February 19, 2025. Cindy Hall requested and the Board concurred, that more detailed information be in the Minutes regarding the section of Regulations/Ordinances that Board members refer to when giving comments to applicants. ***Kevin Conklin made a motion, seconded by Cindy Hall, to adopt the Minutes as written. Motion unanimously carried by roll call vote.***

Selectmen's Report

John Schmerfeld gave an overview of the report by William Heath and Dan Jones on the salt training they recently attended. John Hedden questioned whether the use of liquid rather than crystals was discussed. John Schmerfeld stated that liquid is less effective and noted that the Town of Madison is moving away from using the liquid salt.

John Schmerfeld stated that the Selectmen are reviewing available training and schedules for new Planning and Zoning Board members. John Schmerfeld explained that there are many bills proposed and reported on in the NHMA Legislative Bulletin that the Selectmen are monitoring and asking representatives to oppose.

Conservation Commission Report

Chairman Sullivan gave an update on the Conservation Commission and noted that the Commission is reviewing the draft Wetlands Ordinance in order to give the Planning Board feedback. Chairman Sullivan stated that enforcement may be done by NHDES but if properties cannot be viewed, how is compliance determined. Chairman Sullivan noted that the NH Lakes Association is assisting with the creation of education materials.

Chairman Sullivan gave an update on a possible prescribed burn and the zoom session with Bob Craycraft of UNH regarding water test results of Thurston Pond.

Preliminary Review – RJ2 Property Management

Chairman Sullivan and Vice Chair Kevin Conklin stepped down due to a conflict of interest.

Loralie Gerard of Bergeron Technical Services met with the Board as agent for the applicant regarding a concurrent proposed seven-lot subdivision and boundary line adjustment on Youngs Road (R04-024). Loralie Gerard explained that all lots are more than 5 acres and that lot #7 will be combined with the abutting property.

Loralie Gerard noted that a waiver request will be submitted for the Site Specific Soil Map as set forth in Section 4.06 (e) of the Subdivision Regulations. Cindy Hall stated that there are wetlands so it would be valuable to have those areas mapped. Loralie Gerard explained that a soil scientist has already mapped the wetland areas and submitted a soil map. Loralie Gerard noted that test pits will be done and that further soil testing can be done if test pit results show anything different. It was noted that Soil Scientist Greg Howard indicated that the wetlands are isolated with no sign of being connected. John Hedden questioned the slopes and Loralie Gerard stated it was 15 to 25%. John Hedden noted that according to the regulations, Class D slopes may need larger lot sizes. Loralie Gerard gave an overview of the useable land for each lot and that soil classifications will be presented with a topo map showing elevations. Loralie Gerard explained that all lots meet required road frontage and that most of the lots are within the Ridgeline zone.

Cluster Development – Jeffrey & Erin Perry

At 6:30 pm, Chairman Sullivan opened the Public Hearing on an application by Jeffrey & Erin Perry for a four-lot Cluster Development on Brownfield Road (R03-040). Chairman Sullivan explained the process for the Public Hearing.

All notices have been posted, all fees paid and abutters notified. There are no members with a conflict of interest. No correspondence was received. ***Kevin Conklin made a motion, seconded by John Hedden, to accept the application as complete for consideration. Motion unanimously carried by roll call vote.***

Andy Fisher of Ammonoosuc Survey gave an overview of the proposed Development and noted that 3 lots are 1 acre each, the 4th lot is approximately 16 acres and that 21-1/2 acres is reserved as open space. Andy Fisher stated that approximately 14 acres is required for open space but steep slopes have been excluded from the calculations of qualified land. Andy Fisher stated that the two driveways have been approved by NHDOT and that building locations have been designated within the Rural Residential (RR) District. Kevin Conklin noted that Lot #3 looks difficult to site a building within the RR District. Chairman Sullivan stated that according to Article 3 of the Zoning Ordinance, it may be possible for a structure to straddle the District lines. Chairman Sullivan explained that this application is regarding the lots and not about location of structures. Chairman Sullivan stated that of the 39.67 acres, 19.13 acres are contained within the 4 lots and 21.56 is open space, thereby making the calculations incorrect.

Chairman Sullivan stated that the driveways must comply with the Steep Slope regulations and that the driveway to Lot #4 may be tight. Andy Fisher noted that there will be some excavation work required and that it was taken into consideration when locating the driveway. John Hedden stated that more information regarding the ability to construct the driveway should be provided. Andy Fisher stated that the driveways will be designed correctly and that the plan only shows the portion of driveway to be shared rather than the exact location.

At 7:01 pm, Chairman Sullivan opened the Hearing for public comment. Dick Fortin questioned what land is exempt from open space calculations based on slope and wetlands. Chairman Sullivan explained that 35% must be open space and that slopes over 25% cannot be used in those calculations. Andy Fisher stated that there are wetlands but they have not been delineated because of the size of the lots and there being no wetlands in the building area. Dick Fortin noted that the plan should show the wetland areas. Chairman Sullivan stated that wetlands within the open space area could deem this plan as not meeting regulations and that a wetlands survey should be completed. Andy Fisher stated that nothing points to there being wetlands and that the survey focused on the areas to be developed and questioned whether the Board would allow only certain areas to be reviewed. Dick Fortin noted that there are wet areas at the back section of the lot. Chairman Sullivan stated that he would like to see where there could be wetlands. John Hedden stated that the Board should be mindful of the requirements of the Cluster Development regulations.

Dick Fortin questioned whether the open space remains in Current Use. Chairman Sullivan stated that Town Counsel reviewed the issue and stated that open space is no longer eligible for Current Use. Andy Fisher stated that the open space could be treated as conservation land or placed under a Payment in Lieu of Taxes agreement. Chairman Sullivan noted that there will be an agreement with the Town or other owners as set forth under Section V.D of the Cluster Development regulations. Andy Fisher stated that there will need to be a homeowner association. Chairman Sullivan noted that a condition of approval would be submission of draft agreements.

Jeff Perry stated that the plan does not depict the driveways as he envisions them to be constructed. Cindy Hall questioned whether the Board would be approving a plan without definite driveway locations. Chairman Sullivan stated that the plan must only show that it is possible for a driveway to be constructed and that in the future to obtain a Building Permit, the driveway will have to be approved by the Planning Board to show adherence to the Steep Slope regulations.

There being no further public comment, Chairman Sullivan closed the Public Hearing at 7:20 pm. John Schmerfeld questioned whether a wetland delineation requirement may be too much if there are no hydric soils. Cindy Hall stated that if the property is walked to assess the ground and a wetlands map is reviewed, it could make the delineation easier. John Schmerfeld noted that it could be a matter of adding more land to the open space to avoid a wetlands survey. John Hedden suggested starting at the lowest area of the property and when nothing is found, stop the wetland survey. Dick Fortin noted that there is running water that goes across this property.

Chairman Sullivan noted that boundary lines between abutters needs to be shown and that the designation of open space type must be specified for approvals. The Board set forth the following items to be addressed:

1. Classification of Open Space as common natural and/or common recreational area as required under Section VII.B.3 of the Cluster Development regulations.
2. Recalculate and correct acreage totals.

3. Insert boundary lines between the Diller and Camp Waukeela abutting properties on the plan.
4. Update abutter information on the plan to show mailing addresses.
5. Wetlands delineation: show NRCS soil types.

Kevin Conklin made a motion, seconded by John Hedden, to recess this Public Hearing until 6:15 pm on April 16, 2025. Motion unanimously carried by roll call vote.

Zoning Board of Adjustment

Lianne Boelzner gave an overview of the recent ZBA hearing regarding a proposed cell tower on property owned by John Edge on Ridge Road. It was noted that the Hearing has been recessed until Monday, April 21, 2025.

Master Plan

Kevin Conklin submitted a draft of the Recreation Chapter for the Board's review and discussion at the next meeting. Kevin Conklin stated that he reviewed the Town of Freedom's Master Plan and that it seemed more personal. John Hedden stated that he reviewed the Town of Jackson's Plan and that they had a stronger focus on conservation, education and finances than other Towns. John Hedden stated that residents cannot calculate tax rates and that the process should be understood by everyone. John Hedden suggested that the process could be addressed in an Appendix. Cindy Hall stated that the Town of Brownfield's Plan has a section on how the budget is determined. The Board discussed adding a Chapter on how budgets are prepared, tax rates, finances and challenges for the next 10 years. John Hedden submitted a diagram showing the tipping point of conservation and development. Cindy Hall stated that the diagram should not be used as most people want to keep the Town rural and not developed. John Hedden stated that the Board's job is envision what the Town will look like and how to get there. Cindy Hall raised the issue of designing culverts to permit fish and turtles to travel through them. John Hedden submitted the Roads Chapter for the Board's review and discussion at the next meeting. John Hedden suggested consideration of building a pickleball facility, roads built to be more walkable with "Watch for Pedestrian" signs and construction of observation towers and elevated platforms to watch wildlife.

John Hedden made a motion, seconded by Kevin Conklin, to adjourn the meeting. Motion unanimously carried by roll call vote. The meeting was adjourned at 8:30 pm.

Respectfully submitted,

Lianne Boelzner

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