

**TOWN OF EATON  
PLANNING BOARD  
May 21, 2025**

The Planning Board held their regular meeting at the Eaton Town Hall on Wednesday, May 21, 2025. Present were Chairman Dennis Sullivan, Kevin Conklin, Cindy Hall, Judy Wilson, John Hedden, Selectmen's Representative John Schmerfeld and Alternate Stan Dudrick. The meeting was called to order at 6:00 pm. Chairman Sullivan appointed Stan Dudrick to act as a regular member at this meeting.

**Review of Minutes**

The Board reviewed and amended the Minutes of April 16, 2025. ***Kevin Conklin made a motion, seconded by Cindy Hall, to adopt the Minutes as amended. Motion unanimously carried by roll call vote.***

The Board reviewed and amended the Minutes of May 8, 2025. Chairman Sullivan read an email from legal counsel regarding submission of questions prior to the Public Hearing. Chairman Sullivan suggested that Board members review the materials and bring the questions to the Hearing rather than submitting them prior to the Hearing. ***Kevin Conklin made a motion, seconded by Judy Wilson, to adopt the Minutes as amended. Motion unanimously carried by roll call vote.***

**Selectmen's Report**

John Schmerfeld gave an update on Building Permits issued. John Schmerfeld noted that several residents have requested that the Selectmen consider placing guard rails on Potter Road and explained that the Board has been working with the Road Agent to possibly widen the road. John Schmerfeld noted that because Potter Road is a scenic road, application will be made to the Planning Board.

**Conservation Commission Report**

Chairman Sullivan gave an update on the Conservation Commission and this year's projects. Chairman Sullivan noted that five scholarships for the Tin Mountain camp will be given this year and that the remainder of the Henney Funds will be used for other projects. Chairman Sullivan noted that the fund raising for Foss Mountain may be started again to generate revenues.

Chairman Sullivan stated that he has a conflict of interest for the two RJ2 Property Maintenance applications and stepped down for the Public Hearings.

**Subdivision – RJ2 Property Maintenance**

At 6:15 pm, Vice Chairman Kevin Conklin opened the Public Hearing on an application by RJ2 Property Management for a seven-lot Subdivision on Youngs Road (R04-024). Vice

Chairman Conklin read the Public Notice and explained the process for the Public Hearing.

All notices have been posted, all fees paid and abutters notified. Judy Wilson stated that she is an abutter across Route 153 but stated that she can be impartial. ***Stan Dudrick made a motion, seconded by John Schmerfeld, to accept the application as complete for consideration. Motion unanimously carried by roll call vote.***

Loralie Gerard of Bergeron Technical Services gave an overview of the proposed subdivision and noted that two waivers have been submitted for the Board's review: Site Specific Soil Mapping, overall boundary scale and location of buildings, wells and septic fields within 200 feet of the subject parcel. Loralie Gerard stated that all lots are larger than the required 5 acres for the mapping waiver. Loralie Gerard explained that the second two waivers also apply to the Boundary Line Adjustment and that due to the size of the lot, showing the entire parcel will not fit on a plan at a 100-foot scale and that showing buildings across Route 153 does not make sense. Vice Chairman Conklin noted that there is a map showing details at 100-foot scale. John Schmerfeld stated that the waivers make sense due to the size of the lot abutting Route 153. Loralie Gerard noted that there are no details on Lot #7 as it will be joined with the abutting parcel as part of the Boundary Line Adjustment.

Cindy Hall stated that there are no details on wells and septic for Lot #7. Loralie Gerard explained that Lot #7 is very wet and steep and that it not a buildable lot, which is why it is slated to be joined with an abutting parcel. John Hedden questioned how the Board can approve a lot that is not buildable. Loralie Gerard explained that there is a required note on the plan and that the lot will immediately be merged. Loralie Gerard explained that according to the Subdivision Regulations a lot can be labeled as "Not a lot for building development". Loralie Gerard stated that the lot will not be a lot of record as it will be merged with the abutting parcel of land. Cindy Hall questioned whether the 25 acres is buildable. Loralie Gerard stated that it is not because of the steep slopes and wetlands.

***John Hedden made a motion, seconded by Stan Dudrick, to approve the Waiver Request to Section 4.08 a.i for the Overall Boundary scale. Motion unanimously carried by roll call vote.***

The Board reviewed the waiver request to Section 4.08 a.ii regarding the requirement to show the location of all buildings, wells and septic fields within 200 feet of the subject parcel. Vice Chair Conklin stated that it makes sense to require this information as a lot is being created. Loralie Gerard requested that this waiver be amended to also apply to the Subdivision application. Cindy Hall stated that this waiver would mean no abutter information on Route 153 would be required. John Schmerfeld noted that if the merged property is to be subdivided in the future, details are missing from this plan. Vice Chairman Conklin noted that the waiver would be specific for this application only and not for future applications. Judy Wilson noted that there is a culvert under Route 153 that is not shown on these plans. ***Stan Dudrick made a motion, seconded by John Schmerfeld, to approve the Waiver Request to Section 4.08 a.ii as amended.*** The Board will take Public Comment before voting on this waiver.

Loralie Gerard gave an overview of each of the 6 lots and noted that Wetland Scientist Greg Howard has delineated all the wetlands and submitted a report. Loralie Gerard also

reviewed the test pit results and road frontage of each lot. Loralie Gerard explained that the soil types shown on the NRCS maps were verified and used for the lot size calculations. Loralie Gerard stated that Lot #7 was deemed non-buildable so no test pit was dug and no well location is shown. Judy Wilson stated that the water courses off Route 153 are not shown on the plan. Loralie Gerard stated that no streams were found during the wetlands survey and noted that no culverts or wetlands are shown if located off site. Loralie Gerard stated that no mapping was done on Lot #7 because it is not buildable and there are obvious wetlands.

At 7:05 pm, Vice Chairman Conklin opened the Public Hearing for public comment. Quddus Snyder, abutter, stated that this was family land and that the concentration of development is large. Quddus Snyder stated that water flowing off the driveways into the water shed and into the wetlands should require further study to determine the impact. Quddus Snyder stated that water quality is important and that the impact on Crystal Lake and the view from the beach should be studied. Quddus Snyder questioned how to preserve the soul of Eaton. Vice Chairman Conklin noted that the Ridgeline Protection Ordinance will be applied to these lots when building. Tom Costello, abutter, questioned whether the proposed lots can be made larger to absorb the 25 acres rather than creating a separate lot. Loralie Gerard stated that larger lots would serve no purpose and that the 25 acre lot will be merged with the abutting lot. Quddus Snyder questioned the impact of driveways, buildings and fertilizers on the water shed and wetlands. Vice Chairman Conklin noted that a study was performed by a Soil Scientist. Quddus Snyder stated that the wetlands were only delineated and that the impact was not studied. There being no further comment, at 7:18 pm Vice Chairman Conklin closed the public comment period.

Cindy Hall stated that due to the soil types, slopes and terrain the lots should be larger. Vice Chairman Conklin reviewed the lot size calculations. Cindy Hall stated that site specific soil mapping is needed. Judy Wilson stated that the Subdivision Regulations require that streams be shown on the plan. Loralie Gerard stated that the wetlands report states where the water runs and it is off-site. Vice Chairman Conklin stated that the water drainage from Lot #7 is not shown and questioned the impact and whether enough information has been provided. John Schmerfeld stated that the wetland reports identifies this water run-off. Loralie Gerard noted that the report limits is the property boundary and stated that the stream shown in Greg Howard's report is not on this property. Cindy Hall stated that she is unsure if the Board has enough detail and stated that there may be more streams now because of the rain. Vice Chairman Conklin noted that the Regulation requirements have been satisfied as Greg Howard is a Soil Scientist.

The Board reviewed the Waiver request to Section 4.08 a.ii as amended and noted that the motion was already put forth. ***The motion carried by roll call vote (5 yes with Judy Wilson abstaining).***

The Board reviewed the Waiver Request for Site Specific Soil Mapping as permitted under Section 4.06-e of the Subdivision Regulations. John Hedden stated that there are a lot of questions regarding drainage and suggested requiring more information. ***Stan Dudrick made a motion, seconded by John Hedden, to approve the Waiver Request as provided for in Section 4.06-e of the Subdivision Regulations. Motion was defeated by roll call vote (5 no with Judy Wilson abstaining).***

Vice Chairman raised the question of whether the Board can create a non-buildable lot. Loralie Gerard stated that the lot is greater than 10 acres and the plan contains a note stating that Lot #7 is "Not a lot for building development". Cindy Hall questioned how it affects the abutting lot once they are merged. John Hedden stated that he wants to make sure that the soil types are understood. Vice Chairman Conklin noted that the lot size calculations all work out based on the soil types. It was noted that the applicant is now required to have soil mapping performed, which will answer the questions.

***Stan Dudrick made a motion, seconded by John Hedden, to recess and continue this Public Hearing on June 18, 2025 at 6:15 pm. Motion unanimously carried by roll call vote.***

### **Boundary Line Adjustment – RJ2 Property Maintenance**

At 7:46 pm, Vice Chairman Kevin Conklin opened the Public Hearing on an application by RJ2 Property Management for a Boundary Line Adjustment on Youngs Road (R04-024 & 025).

All notices have been posted, all fees paid and abutters notified. John Hedden left the meeting at this time. Judy Wilson stated that she is an abutter across Route 153 but stated that she can be impartial.

Loralie Gerard of Bergeron Technical Services explained that this is now a merging of 25 acres from Lot 24 into Lot 25 and that there is no longer a non-buildable lot being created.

***Stan Dudrick made a motion, seconded by Cindy Hall, to accept the application as complete for consideration. Motion unanimously carried by roll call vote.***

There being no questions or comments from the Board, Vice Chairman Conklin opened the Public Hearing for public comment. There being none, the Public Hearing was closed.

***Stan Dudrick made a motion, seconded by Cindy Hall, to approve the Boundary Line Adjustment for RJ2 Property Maintenance as presented. Motion unanimously carried by roll call vote.***

### **Steep Slope Development – Jeff & Erin Perry**

At 7:54 pm, Chairman Sullivan opened the Public Hearing on an application by Jeff & Erin Perry for development within the Steep Slope Protection Zone on Brownfield Road (R03-040).

All notices have been posted, all fees paid and abutters notified. No Board members had a conflict of interest. It was noted that not all required plans as required within the Steep Slope application requirements were submitted and that no waivers were submitted. Chairman Sullivan stated that the Board can accept the application for review and request additional materials or waivers be submitted. ***John Schmerfeld made a motion, seconded by Cindy Hall, to accept the application for consideration conditional upon submission of additional information and/or waivers. Motion unanimously carried by roll call vote.***

Andy Fisher of Ammonoosuc Survey stated that he did not think all that information was required as it takes a great deal of work to provide that information. Chairman Sullivan stated that the beginning section of the driveway was a logging road and landing area. Cindy Hall questioned whether this driveway is shared between Lots #1 and #2. Andy Fisher stated that it is a shared driveway and that the first lot to be developed will be Lot #2. Andy Fisher stated that the existing logging road and landing will be used and that the driveway has been designed with contours to be as flat as possible. Andy Fisher stated that the driveway curves with the steepest slope and is no more than 15% grade. Cindy Hall noted that at the 40-foot area, the slope appears to be approximately 20%. Andy Fisher stated that they will level out those areas. Chairman Sullivan stated that the slopes will require cut and fill. Andy Fisher stated that to minimize the cut and fill, the slopes will be utilized as much as possible. Chairman Sullivan noted that the Steep Slope Ordinance requires that the driveway have no more than a 10% slope and noted that there is a conflict with the Town's Driveway Permit application form. Chairman Sullivan explained that when the Board adopted this Ordinance, erosion, drainage and emergency vehicle access information was reviewed.

Chairman Sullivan stated that the Board probably does not need an engineered plan but drainage plans are needed because of the pond and wetlands on abutting properties. Andy Fisher questioned what the Board will want to review for stormwater runoff. Chairman Sullivan stated that review of potential drainage from the driveway should be shown. Judy Wilson stated that NHDES requirements should be met and that the Board needs to be sure that drainage will not be an issue. Andy Fisher questioned whether a swale would be acceptable. Kevin Conklin stated that due to the storms, drainage needs to be addressed. Andy Fisher noted that mitigation will be shown to make sure that run-off is kept on the lot. Jeff Perry suggested modifications to the design of the driveway.

Chairman Sullivan stated that the driveway slope of 10% maximum, cut and fills and drainage controls must be addressed. Cindy Hall stated that stormwater management during and after construction must be addressed. Kevin Conklin stated that water running off the top curve of the driveway will be massive and that a means of dealing with the water needs to be addressed. Cindy Hall stated that information must be submitted showing how water run-off will be addressed as it cannot have any impact on abutters.

At 8:30 pm, Chairman Sullivan opened the Hearing for Public Comment. There being no comment, the Public Hearing was closed.

The Board listed the following items to be addressed:

1. No more than a 10% slope on the driveway.
2. Cut and fill to be no greater than 50%.
3. Plan and description to manage drainage during and after construction.
4. Grading plan (engineer not necessary).
5. Waivers for items listed in application requirements that are not being required by the Board.

***Kevin Conklin made a motion, seconded by Judy Wilson, to recess and continue this Public Hearing on June 18, 2025 at 6:15 pm. Motion unanimously carried by roll call vote.***

***Kevin Conklin made a motion, seconded by Judy Wilson, to adjourn the meeting. Motion unanimously carried by roll call vote.*** The meeting was adjourned at 8:49 pm.

Respectfully submitted,

*Lianne Boelzner*

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