



**Zoning Board of Adjustment
Town of Eaton
Evans Memorial Building
Eaton, NH 03832**

October 20, 2025

The Zoning Board of Adjustment met on Monday, October 20, 2025, at the Town Hall. Present were Acting Chairman John Border, Megan Hoffer, Pam Burns and Alternates Mark Griffin and Hoke Wilson. The meeting was called to order at 6:01 pm. John Border appointed Alternates Mark Griffin and Hoke Wilson to act as regular members for this meeting.

Minutes

The Board reviewed the Minutes from June 16, 2025. ***Hoke Wilson made a motion, seconded by Megan Hoffer, to waive the reading of the Minutes and to accept the Minutes as written. The motion passed by unanimous roll call vote.***

John Border read the Public Notice and gave an overview of the procedure for Public Hearings. Charles Spalding requested and Quddus Snyder agreed to review the applications out of order.

Case #202504 -- Twin Brook Farms -- Special Exception

John Border opened the Public Hearing on an application from Twin Brook Farms for a Special Exception as provided for in Article VI, Section 3 of the 2025 Zoning Ordinance to increase the dimensions of a non-conforming structure at 222 Birch Hill Road (R10-026).

All notices required by Statute have been posted, abutters notified and fees paid. There were no conflicts of interest by Board members. No correspondence has been received.

Charles Spalding gave an overview of the property and the woodshed. Charles Spalding explained that the building began to collapse so it was slated to be replaced by a timber frame structure. Charles Spalding stated that because the structure was falling over, measuring the height was difficult but was estimated to be 12 feet tall. Charles Spalding stated that he received a letter from the Selectmen indicating that the non-conforming structure was increased in dimensions by 2-1/2-foot overhangs and was now 17 feet tall. Charles Spalding stated that he considers the overhangs a minor appurtenance and that they were added to protect the sills. Charles Spalding stated that the building was lifted to gain air and avoid rot.

John Border asked if there were modifications to the foundation and Charles Spalding stated that it is basically the same footprint. John Border explained that the Zoning

Ordinance states that any expansion is to be away from the setback encroachment and noted that the overhang makes the building 2 feet closer to the centerline of the road. Charles Spalding stated that he did not read anything about driplines. Mark Griffin questioned the distance to the centerline of the road. Charles Spalding stated the building is approximately 20 feet from the centerline. John Border stated that the entire building is within the required 60-foot setback. Pam Burns noted that the base of the building is within the old footprint.

John Border questioned whether the shed could be moved two feet. Charles Spalding stated that it would be very difficult because of the footings. Hoke Wilson noted that not being able to move the structure demonstrates that compliance is not reasonably possible. Abutter Peter Klose stated that it would require a crane to move the building.

Charles Spalding noted that there are no walls or floors as he is waiting for approval and indicated that the overhangs are larger. Hoke Wilson questioned whether overhangs would be considered a minor appurtenance. Mark Griffin noted that the structure is in the same footprint and questioned whether the overhangs are tied into the rafters. Hoke Wilson questioned whether the dimensions are measured on the ground. It was noted that there is no definition of "dimensions" within the Zoning Ordinance.

John Border opened the Public Hearing for public comment. Abutter Elaine Klose spoke in favor of the project and stated that this structure is actually located further back from the road than the house. Paul Hennigan noted that the structure is in the same footprint and that the overhang protects the building. Paul Hennigan stated that the second issue is the increased height and stated that it does meet Town requirements.

Finding of Facts:

- a. The nonconforming structure is not in the Wetlands, Floodplain District or the Shoreland Water Quality Protection Act.
- b. There is no significant change or expansion of use. This condition is not applicable.
- c. The footprint of the structure will decrease, stay the same or expand only in one direction, that being the direction furthest away from the area the setback is intended to protect or buffer. In all other directions the expansion shall not encroach any further than the existing structure except for minor appurtenances such as steps, bay windows, canopies and awnings. Hoke Wilson stated that the Ordinance is not clear on whether an overhang is part of the footprint. Mark Griffin stated that an overhang is part of the roof. The consensus of the Board is that the overhangs are a minor appurtenance.
- d. Public health, safety and/or welfare are not adversely affected.
- e. Traffic, parking, noise and nighttime lighting are not unreasonable increased.
- f. The expansion shall not have any adverse effect on any neighboring properties.
- g. The location of the structure in conformance with the Zoning Ordinance is not reasonably possible.

Megan Hoffer made a motion, seconded by Hoke Wilson, that based on the above findings of fact, the Special Exception for Article VI, Section 3 of the Zoning Ordinance be granted. Motion passed by unanimous roll call vote.

Case #202503 -- Snyder -- Variance

John Border opened the Public Hearing on an application from Quddus Snyder for a Variance to Article IV, Section N of the 2025 Zoning Ordinance to grant relief from the road setback at 140 Youngs Road (R04-027A & 025A).

All notices required by Statute have been posted, abutters notified and fees paid. There were no conflicts of interest by Board members. No correspondence has been received.

Quddus Snyder gave an overview of his property and noted that the farm is split by the road. Quddus Snyder stated that the proposal is for 2 granite posts, exposed 8 feet on each side of the road. Quddus Snyder stated that the posts do slow down the traffic and that Road Agent Heath has agreed to a location out of the way of winter plowing.

John Border noted that the posts are 15 feet from the centerline of the road. Quddus Snyder stated that the front door of the house is 25 feet from the centerline of the road. Quddus Snyder stated that the agreed upon location moved back an additional 3 feet and noted that they are on his front lawn at this time.

Quddus Snyder stated that the Selectmen indicated that they require a Building Permit because they are taller than 6 feet. John Border noted that the Zoning Ordinance does state that they are also subject to setback requirements. Quddus Snyder stated that they are driveway posts and do not obstruct driver vision. John Border questioned the location relative to the end of the road. Quddus Snyder stated that the road continues to the turnaround, which is the end of the Class 5 road.

John Border stated that the description sounds like a landscaping item. Megan Hoffer agreed. Pam Burns noted that Quddus Snyder owns both sides of the road. Quddus Snyder noted that there are other properties in Town with granite posts and signs. Hoke Wilson stated that many people have signposts at their driveway. Pam Burns questioned the distance between the posts. Quddus Snyder stated that they are 30 feet apart and was based upon the distance needed for the winter plowing. John Border stated that signs are required to be 6 feet from the edge of the travel way and that this could easily be called a sign. Pam Burns questioned whether two vehicles can pass through the posts. Quddus Snyder stated that Youngs Road is narrow and that two vehicles would have to slow down and that the posts are line with the stone wall. Hoke Wilson stated that these posts are closest in description to a signpost.

John Border opened the Public Hearing for public comment. Paul Hennigan stated that road widths are established for life safety and emergency vehicle access. Paul Hennigan stated that he is against the proposal as the hitching posts are 18x18 and that they will limit the width of the road for maintenance and emergency vehicles. Hoke Wilson stated that the Board cannot rule based on what may be developed in the future.

Pam Burns made a motion, seconded by Hoke Wilson, that the obelisks are considered a signpost and are subject to the Sign requirements of the Zoning Ordinance (Article IV, Section T) and, therefore, do not require a Variance for the location. Motion passed by unanimous roll call vote.

Pam Burns made a motion, seconded by Megan Hoffer, to adjourn the meeting. The motion passed by unanimous roll call vote. The meeting was adjourned at 7:15 PM.

Respectfully submitted,

Lianne Boelzner

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