



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

June 17, 2024

The Zoning Board of Adjustment met on Monday, June 17, 2024 at the Town Hall. Present were Steve Larson, John Border, Joel Wasserman, Pam Burns and Stan Dudrick. The meeting was called to order at 6:00 pm.

Review of Minutes

Pam Burns made a motion, seconded by Joel Wasserman, to waive the reading of the Minutes and to adopt the Minutes of April 15, 2024 as written. Motion unanimously carried.

Chairman Larson read the Public Notice and gave an overview of the procedure for Public Hearings.

Case # 202402 – Kittredge – Variance

At 6:04 pm Chairman Larson opened the Public Hearing on an application from Tracie Kittredge for a Variance to Article V, Section C.4(c) for relief from the minimum leach field setback for property at Thompson Hill Road (R11-041).

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

Ron Briggs, representative for the owners, gave an overview of the proposed leach field and noted that the location of the leach field is 75-feet from the nearest wetland, which does meet the State's requirements. Ron Briggs noted that the location of this project is unique in that the elevation of the wetlands is higher than the bed bottom of the leach field, meaning that the leach field will be downhill from the wetlands. Steve Larson stated that the lot consists of eleven total acres and asked if there was anywhere else to locate the leach field so it would also meet the Town's 125-foot setback requirements. Ron Briggs stated that the only other possible area would be near the road, which could then be impacted by storm runoff from the road. He also stated that the location near the road would require a waiver from the State, which would be unlikely to happen as there is already a suitable location for the leach field on the property. Ron Briggs also stated that the current proposed location would require less impact on the land in regard to tree cutting. Steve Larson questioned the depth of the system, and Ron Briggs stated that the depth was determined by the seasonal high-water table. John Border stated that setbacks are to protect water, and that in this case, there will not be runoff into water because the leach field will be lower in elevation to the wetlands.

Chairman Larson opened the Public Hearing for public comment. Larry Nash asked a question about the specific location of the property. There being no other comments, Chairman Larson closed the Public Hearing.

1. Granting the variance would not be contrary to the public interest. The Board agreed that the proposed leach field is not going to affect the wetlands due to the fact that they are at a higher elevation to the leach field.
2. The spirit of the ordinance would be observed. The Board agreed that the applicant has tried to protect the wetlands as best as possible with the proposed location of the leach field.
3. Granting the variance would do substantial justice. The Board agreed that the applicant has done the best they can do on the lot and granting the variance allows them to use their property in a fair way.
4. For the following reasons, the values of the surrounding properties would not be diminished. The Board stated that the proposed location of the leach field does meet the State's requirements for setbacks and since the location is a lower elevation than the wetlands, there is no problem with the leach field interfering with the water, thus the wetlands will be protected.
5. Denial of the variance would result in unnecessary hardship. There is a fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property because the location does meet the State's standards and the leach field will not drain into the wetlands.

Chairman Larson made a motion, seconded by Pam Burns, that based on the above findings of fact, that the Variance be granted. Motion unanimously carried by roll call vote.

Chairman Larson made a motion, seconded by John Border, to adjourn the meeting. Motion unanimously carried. The meeting was adjourned at 6:35 pm.

Respectfully submitted,

Bethany Hicks

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