

**TOWN OF NEWPORT, NEW HAMPSHIRE**  
**Board of Selectmen Minutes July 18, 2022**  
**Public Hearing and Regular Meeting**  
**Municipal Building, 15 Sunapee Street, Newport, NH 03773**  
**Remote Access: Zoom.com - Meeting ID: 810 7313 5335 Passcode: 065224**  
+1 (253) 215-8782 US (audio only, long-distance fees may apply)

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**SELECTMEN PRESENT:** *BOS Room:* Barry Connell, Vice Chairman; Keith Sayer, Herbert Tellor, Jr.; James Burroughs

**SELECTMEN ABSENT:** Jeffrey Kessler, Chairman

**STAFF PRESENT:** *BOS Room:* Hunter Rieseberg, Town Manager

**COMMUNITY MEMBERS PRESENT:** Bert Spaulding, Sr.; Dick Wentzell, Kathy Hubert

**GUESTS:** Jack Franks, Robert Best, Esq. Sullivan and Hollis P.L.L.C., Doug Campbell, Jan Sayles, Rick Sayles, Occom Properties

**NCTV:** John Lunn, Executive Director NCTV

**CALL TO ORDER:** Acting Chairman Connell called the meeting of the BOS to order at 6:30 p.m. followed by the Pledge of Allegiance.

**AGENDA REVIEW:** ADD: Action Item: Appointment of Ken Dennis to Conservation Commission (Connell)

**PUBLIC HEARINGS:** The Board of Selectmen of the Town of Newport, New Hampshire will hold three consecutive public hearings on Monday, July 18, 2022 at 6:30 p.m. at the Newport Town Offices at 15 Sunapee Street, Newport, New Hampshire. Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. Up to \$1,000,000 is available for each Permanent Supportive Housing Grant Project under the CDBG-CV allocation due to COVID-19, and up to \$750,000 is available for CDBG-CV Public Facility Projects. All projects must directly benefit a majority of low- and moderate-income persons. The Public Hearings will comment on the following:

1. This is a proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Housing Grant Funds. Of the funds, \$25,000 will be retained by the town for administrative costs associated with the project, \$475,000 of the funds will be subgranted to Occom Properties. Occom will then loan the funds to related entity to be determined toward the acquisition and/or construction of the Newport Mill, 169 Sunapee St, Newport, which will be rehabilitated in 70 units of primarily affordable housing.
2. The Housing and Community Development Plan
3. The Anti-displacement and Relocation Assistance Plan.

Persons with disabilities requesting accommodations should contact the Town Manager's Office via telephone (603)863-1877, or email [manager@newportnh.gov](mailto:manager@newportnh.gov) at least 5 days in advance.

Acting Chairman Connell read aloud the Public Notice into the record. He stated the notice had been posted in 3 town posting places; an informational document was available to the public.

**Public Hearing One:** Acting Chairman Connell opened the Public Hearing on the proposed Newport Mill Affordable Housing CDBG Application He read aloud: Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to \$500,000 annually is available for Economic Development Projects, up to \$500,000 for Housing Projects, up to \$500,000 for Public

Facility Projects, up to \$350,000 in Emergency Funds, up to \$25,000 per Planning Study grant. Up to \$1,000,000 is available for each Permanent Supportive Housing Grant Project under the CDBG-CV allocation due to COVID-19. Also, up to \$750,000 is available per public facility project under CDBG-Covid (CDBG-CV) funding. All projects must directly benefit a majority of low- and moderate-income persons. This is a proposed application to the Community Development Finance Authority for up to \$500,000 in CDBG Housing Grant Funds. Of the funds, \$25,000 will be retained by the town for administrative costs associated with the project, \$475,000 of the funds will be subgranted to Occom Properties. Occom will then loan the funds to a related entity to be determined toward the acquisition and/or construction of the Newport Mill, 169 Sunapee St, Newport, which will be rehabilitated into 70 units of primarily affordable housing. This project conforms with Newport's proposed Housing and Community Development Plan's goal of:  
Goal: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Acting Chairman Connell opened the Hearing to the public for comment.

Mrs. Kathy Hubert asked what an estimate of the appraised value of the completed facility? Mr. Jon Livadas of Occum Properties was asked to give an estimate of the appraised value his proposed project. He stated approximately \$20,000,000. There were no immediate questions from the Board. Mrs. Hubert asked how many children might reside in the complex. She was told a market study hadn't been done as of yet. Twenty five percent (25%) will be two bedroom apartments. The remaining will be one bedroom apartments. Mrs. Hubert calculated fourteen (14) two bedroom apartments. It could be upwards of 28 children. Selectman Tellor stated that the funds will be traveling from the Town to Occom to someone else (unknown to Town). If the funds get approved, and proceed to Occom Properties, and the project doesn't happen, where do the funds go? Mr. Livadas said that the wording of the Public Notice was misleading; the LLC (Occom) might not be the ones receiving the money; it might change to another LLC. Selectman Tellor repeated his question, asking what if the project never came to fruition; do the funds revert to the government? Is there liability to the Town if the funds don't get used? Town Manager Rieseberg said that Mr. Livadas was building a funding stack. This piece is dependent on the other funding sources he is trying to acquire. Selectman Tellor asked for further explanation. The application will be on behalf of the Town of Newport; applying for the project. Mr. Livadas is the one who will do the project. The funds will come through the Town first. CDBG money is not dispersed to private entities. Selectman Burroughs asked if he was looking at potentially fourteen to twenty children who might be impacting Newport's school system. It will be a 20+ million dollar facility to our tax base. He was told yes. Town Manager Rieseberg explained the market value might be more or less than \$20,000,000. Mr. Livadas said that the \$20,000,000 was both soft and hard costs of the project. Mrs. Hubert said there were a couple of housing projects in Newport. The newest one is Meadow Park. There is one on Whipple Street or the one off Route 10. She asked for assessed values for those properties. Town Manager Rieseberg said he would get them for her. Mrs. Hubert said it was affordable housing. Mr. Lavitis spoke to the Ruger Mill Project. He said that currently the mix is: 25% market rate apartments; 10% will be 30% of the area median income (AMI); 10% will be 50% of the area median income (AMI). 54% will be 60% of the area median income.

Mr. Spaulding, Sr. stated that for each child it costs \$18,000/year to educate in Newport. Costs could be up to approximately \$360,000. He said if it was a \$20,000,000 project; taxes would be \$600,000. It will not be a liability to the community as long as it is assessed for its construction costs or more. If it is assessed less (50%) because it is not saleable; then it becomes a liability (to the Town). Mrs. Hubert and Mr. Spaulding, Sr. further discussed the potential costs of educating the new students living in the facility.

There being no further comments from the public, Acting Chairman Connell closed Public Hearing One. On a point of order Selectman Tellor said there was a request to vote on the hearings separately as they are completed.

Acting Chairman Connell stated they would vote on the hearings separately at the end.

**Public Hearing Two:** Acting Chairman Connell opened the Public Hearing on the Housing and Community Development Plan. An informational document on the plan was available to the public. Acting Chairman Connell read aloud: The Housing and Community Development Plan outlines goals for the next three years. CDBG requires a HCDP that is no older than 3 years.

Goal: Encourage a varied stock of safe, sanitary, decent and affordable housing for persons of all age and income groups. (Short-term and Long-term goal).

Goal: Encourage economic development activities to increase quality industrial and commercial development. Encourage the expansion and retention of employment opportunities for residents. (Short-term and Long-term goal).

Goal: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Goal: Preserve and promote the Town's historically and culturally significant structures. (Short-term and Long-term goal).

Goal: Promote activities that protect the health and safety of residents and visitors. (Short-term and Long-term goal).

The plan includes the national and state objectives and includes a CDBG Citizen Participation Plan including required public hearings to update the public on the progress of CDBG projects.

Acting Chairman Connell opened the Hearing to the public for questions or comments. There was none.

Acting Chairman Connell closed Public Hearing Two.

**Public Hearing Three:** Acting Chairman Connell opened the Public Hearing on the Residential Antidisplacement and Relocation Assistance Plan. An informational document on the plan was available to the public. Acting Chairman Connell read aloud: This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the Town were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. This project does not anticipate displacement or relocation.

Acting Chairman Connell opened the Hearing to the public for comment. There was none.

Acting Chairman Connell closed Public Hearing Three.

Acting Chairman Connell called for votes on the three Public Hearings.

Selectman Tellor proposed the following motion: *to approve the submittal of the Mill CDBG application and vote to authorize the Town Manager to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the Town Manager to execute any documents which may be necessary to effectuate the CDBG contract and any amendments thereto.* It was seconded by Selectman Burroughs. *The motion passed 4-0-0.*

Selectman Burroughs proposed the following motion: *To adopt the Housing and Community Development Plan.* It was seconded by Selectman Tellor. *The motion passed 4-0-0.*

Selectman Burroughs proposed the following motion: *To adopt the Anti-displacement and Relocation Assistance Plan.* It was seconded by Selectman Tellor. *The motion passed 4-0-0.*

**MINUTES FROM PREVIOUS MEETING(S):** June 20, 2022 - On a motion by Selectman Tellor, seconded by Selectman Burroughs; *the Board voted to approve the minutes of the June 20, 2022 BOS meeting as presented. The motion passed 4-0-0.*

June 20, 2022 NPS - On a motion by Selectman Burroughs, seconded by Selectman Tellor; *the Board voted to approve the nonpublic minutes of the June 20, 2022 BOS meeting as presented. The motion passed 4-0-0.*

**CONSENT AGENDA:** On a motion by Selectman Tellor, seconded by Selectman Sayer; *the Board voted to approve the Consent Agenda of the July 18, 2022 BOS meeting as presented. The motion passed 4-0-0.*

**OPEN FORUM:** Mr. Wentzell addressed the Board with concerns of a disputed easement on his property as well as state appropriated money to the Town. He will return to the BOS with additional concerns.

Mr. Doug Campbell, Mr. Jack Franks and Attorney Robert Best addressed the Board members. They identified themselves as the developers for the proposed 96 unit apartment complex of affordable housing on Route 10. They have been to the Zoning Board and are working to get all requirements for building in order to go to the Planning Board. They have a major constraint-there is no sewer infrastructure for 3,700 feet to the land they propose to build on. Their request is Town assistance through written support for them to get funding for a sewer line. Written support will be sent to the Commissioners for a County sponsored CDBG grant similar to what was approved in the Public Hearing. The developers stressed the need for expediency; the Town did not have time to deliberate because the County has to make its decision by July 25<sup>th</sup>. There was a brief discussion on the project between the developers and Selectboard. Selectman Sayers asked if the apartment complex will interfere with the airport. Mr. Franks said they have not filed the paperwork with the FAA yet.

Mrs. Hubert addressed the Selectboard and spoke on the new lawsuit on behalf of taxpayers in which the State of New Hampshire is being sued for its local schools funding practices. She welcomed any taxpayers to join in the class action suit. Mrs. Hubert said they were also looking for donations to pay for court costs; the lawyers are working pro bono. She also spoke on the inequities of funding school systems in the State of New Hampshire (for more information on this go to: [www.fairfundingnh.org](http://www.fairfundingnh.org)). If anyone wanted to join the class action suit or donate go to: [www.fairfundingnh.org](http://www.fairfundingnh.org). She repeated; the lawyers were working pro bono. Board members thanked Mrs. Hubert for speaking; they appreciated all that she was doing on the state level.

**COMMUNICATIONS:** Selectman Tellor had nothing to share at this time; Selectman Burroughs had nothing to share at this time; Selectman Sayer had nothing to share at this time; Acting Chairman Connell informed the Board and Community that the Conservation Commission members continued to be very active and committed to conservation in the Town.

- Members had gone to the Pinnacle to improve the area and its scenic view. They will be returning to do additional work at the Pinnacle on July 29, 2022. If people want to participate, contact him.
  - The Newport Historical Society is conducting “Magical History Tours” to educate individuals about the historical treasures in our Town of Newport. The next tours will be on: July 30<sup>th</sup> from 9-11 am & August 18<sup>th</sup> from 9-11 am. If interested contact the Historical Museum at (603)863-1294 and leave your name, phone number, number of seats, and date you would like to attend.
- Town Manager Rieseberg had nothing to share at this time.

**INFORMATIONAL:** none

**ACTION ITEMS:** After a brief discussion, on a motion by Selectman Tellor, seconded by Selectman Burroughs; *the Board appointed Mr. Kenneth Dennis as a full member to the Conservation Commission for two years with a term to expire June 30, 2024. The motion passed 4-0-0.*

Acting Chairman Connell said that a request has been made for the Board to support Avanru Development Group with a letter of support to the County for its CDBG housing grant. There was minimal discussion among the Board members. On a motion by Selectman Teller, seconded by Selectman Sayer; ***the Board voted to request that Town Manager Hunter F. Rieseberg provide a letter of support to the County in the name of Avanru for the development of the senior housing project. The motion passed 4-0-0.***

On a motion by Selectman Burroughs, seconded by Selectman Teller; ***the Board voted to adjourn at 8:00 p.m. The motion passed 4-0-0.***

Respectfully submitted,



Maura Stetson, Scribe

**The next regular meeting of the Board of Selectmen is scheduled for August 1, 2022 at 6:30 p.m.**

Approved on: August 1, 2022