

**TOWN OF NEWPORT, NH**  
**Minutes of the Planning Board Meeting**  
**April 12, 2022 – 6:00 P.M.**  
**Board of Selectmen's Room**  
**15 Sunapee Street**  
**Regular Meeting and Public Hearing**

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**MEMBERS PRESENT:** Ken Merrow, Vice Chairman; Sean Glasscock, Herbert Tellor, Jr., BOS Representative and Tobin Menard

**MEMBER(S) ABSENT:** David Kibbey, alternate; Ray Kibbey, Bert Spaulding, Sr., alternate; David Burnham, Chairman

**VIDEOGRAPHER:** NCTV

**STAFF PRESENT:** Christina Donovan, Planning and Zoning Administrator

**COMMUNITY MEMBERS PRESENT:** none

**CALL TO ORDER:** Acting Chairman Merrow called the meeting to order at 6:02 p.m. followed by a roll call of sitting members.

**AGENDA REVIEW:** Accepted as presented

**NEW BUSINESS:**

**2022-ANNEX-003: Bonnie Beauchaine (Owner) Clayton Platt (agent):** Request a final review for an annexation/lot line adjustment, property identified as Map 240 Lot 060 located at 359 Bascom Road to Map 240 Lot 057 at 371 Bascom Road in the Rural (R) Zoning District.

Acting Chairman Merrow opened Case 2022-ANNEX-003. On a motion by Mr. Tellor, seconded by Mr. Glasscock; *the Board accepted the application as complete. The motion passed 4-0-0.*

Using a posted site plan, Mr. Clayton Platt explained the proposed annexation of 3.75 acres by the applicant. Mr. Platt. He reviewed both lots of record.

Acting Chairman Merrow asked if there were any concerns from the Planning and Zoning Department. Ms. Donovan said no, the applicant was in compliance with all Newport ordinances. There were two lots staying two lots.

There were no questions from the Board; there were no abutters present or letters from abutters for or against the proposal. On a motion by Mr. Menard, seconded by Mr. Glasscock; *the Board approved Case 2022-ANNEX-003 as presented. The motion passed 4-0-0.*

The Board congratulated Mr. Platt and Mr. Brodeur; then signed the Mylar and a copy of the site plan for the case file.

**MINUTES:** March 22, 2022; March 29, 2022

March 22, 2022

On a motion by Mr. Glasscock, seconded by Mr. Tellor; *the Board voted to approve the minutes of the March 22, 2022 Planning Board meeting with the following correction: replace the amended Case header (with strikethrough) with the original one.* On a motion by Mr. Glasscock, seconded by Mr. Menard; *the Board voted to amend the minutes as stated.* On a motion by Mr. Glasscock, seconded by Mr. Tellor; *the Board voted to approve the minutes of the March 22, 2022 Planning Board meeting as amended. The motion passed 4-0-0.*

March 29, 2022

On a motion by Mr. Glasscock, seconded by Mr. Menard; *the Board voted to approve the minutes of the March 29, 2022 Planning Board meeting as presented. The motion passed 3-0-1 (Tellor abstained).*

**ADMINISTRATION:** (for full discussion go to: [www.nctv-nh.org](http://www.nctv-nh.org) )

The Board and Ms. Donovan had a lengthy discussion on the lot at 880 John Stark Highway:

- The lighting at Carvana.
- Permit for trenching for wiring had been issued
- Permit for lighting had not been issued. Should have been brought before the Planning Board and have followed code
- No signs

There was a discussion on making the lighting infraction compliant with Newport's regulations.

1. Lighting cannot leave the lot
2. Has to be at a sharp cutoff (downcast and shielded)
3. Photometric study

Ms. Donovan will follow through with the lighting infraction

HBH properties-white structure on 868 John Stark Highway (JSH) in Rural/Commercial District

- ❖ Property did receive a Special Exception for Mixed Use via ZBA (Ms. Donovan read aloud the uses)
- ❖ 40'x 68.3' and 27' in height; building on site is listed as residential. The structure does not violate any codes.
- ❖ They went to NH DOT for driveway ingress/egress
- ❖ A slab had been permitted for

There was a general discussion on the Zoning Districts in the area by the Board members and Ms. Donovan.

When asked, Ms. Donovan stated that the structure was permitted. She had missed that it needed to go through the Planning Board for approval.

Legality of the structure had been raised with her. Acting Chairman Merrow asked Ms. Donovan how (using the building code) she permitted the structure:

- 1) There was no foundation.
- 2) A slab had been poured, but was not being used as a foundation for the building.
- 3) The structure was supported by 4 shipping containers that were on either side of the building
- 4) How was the 2015 Building Codes (IBC) for wind, snow etc. accounted for?
- 5) Were there plans and an engineer's stamp on the plans? Ms. Donovan did not have any plans.
- 6) Was it a "dry" structure?

Mr. Alan Chase, building inspector, would be asked how it was permitted. If anything had been missed; the land owner would have to fix it. IBC now has 2021 codes out. Newport might want to adopt them.

Mr. Glasscock stated for clarification for the viewing public, the building had been permitted; any violations will be looked into by the Planning Office and Building Inspector and corrected. Ms. Donovan agreed with his statement.

The Board members had a lengthy discussion concerning the structures' and lots' building permits, inspections, additional questions for permit applications and when an applicant should go before the Planning Board.

Ms. Donovan will follow through with the infractions and the issues will be discussed at the next work session of the Planning Board.

## **COMMUNICATIONS:**

**Board:** Lot Line Adjustments/Annexations/Subdivisions were discussed by the Board. The guest speaker from Upper Valley Lake Sunapee Regional Planning Commission will attend on Tuesday, May 3, 2022. The Planning Board members will potentially work on the lot line adjustment terminology at the Tuesday, May 17, 2022 Planning Board meeting.

There was a brief discussion on disturbed soil from construction going onto an abutter's property. The Board was told it was a civil case, not for the Town office.

**Public:** none

With no more business in the public meeting, on a motion by Mr. Menard, seconded by Mr. Tellor; ***the Board voted to adjourn at 7:18 p.m. The motion passed 4-0-0.***

Respectfully submitted,

Maura Stetson, Scribe

Approved: May xx, 2022

The next work session of the Planning Board will be held on Tuesday, May 3, 2022 at 6 pm in the Board of Selectman's Room.

The next regular meeting of the Planning Board will be held on Tuesday, May 17, 2022 at 6 pm in the Board of Selectmen's Room.