

**AMENDED AND APPROVED**  
**TOWN OF NEWPORT, NH**  
**Minutes of the Planning Board Meeting**  
**March 22, 2022 – 6:00 P.M.**  
**Board of Selectmen's Room**  
**15 Sunapee Street**  
**Regular Meeting and Public Hearing**

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

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

**VIDEOGRAPHER:** NCTV

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

**COMMUNITY MEMBERS PRESENT:** none

**CALL TO ORDER:** Chairman Burnham called the meeting to order at 6:03 p.m. followed by a roll call of sitting members.

Ms. Donovan requested that the minutes be moved in order to accommodate the applicant who was running late.

**AGENDA REVIEW:** Mr. Glasscock made a motion *to move the minute's agenda item to after the agenda review*. It was seconded by Mr. Merrow. *The motion passed 5-0-0.*

**MINUTES:** February 1, 2022; February 15, 2022

February 1, 2022

On a motion by Mr. Merrow, seconded by Mr. Teller; *the Board voted to approve the minutes of the February 1, 2022 Planning Board meeting as presented. The motion passed 5-0-0.*

February 15, 2022

On a motion by Mr. Teller, seconded by Mr. Merrow; *the Board voted to approve the minutes of the February 15, 2022 Planning Board meeting as presented. The motion passed 5-0-0.*

**NEW BUSINESS:**

**2022-SPFP-2: All Purpose Storage, Chad Branon (agent):** Request final review to approved site plan for the property identified as Map 235 Lot 021. The proposal is to increase the size of the current storage facility. The property is located at 880 John Stark Highway (JSH) in the Rural Commercial (RC) Zoning District.

Chairman Burnham opened Case 2022-SPFP-2.

Mr. Merrow addressed Ms. Donovan and asked if the Board had a submission sheet. He asked for department reviews and the Planning Board form (checklist) and application. Ms. Donovan stated department reviews were oral or not necessary she had not included the tax map which showed the acreage of the lot. The Board stated it was on the site plan.

When asked for a Planning Review, Ms. Donovan stated there were no issues from the Planning Office perspective. She stated that the Planning Board looks at the lighting; there was no DOT approval (submitted) or change of use application which should be submitted. She spoke on the traffic level, but that was state DOT purview.

Chairman Burnham addressed Ms. Donovan and stated the Case read, "... to increase the size of the current storage facility". He stated there was not currently a storage facility at the location. She agreed with Chairman Burnham and stated the wording was incorrect; it was a change of use. After a brief discussion, Mr. Glasscock asked if the public (abutters) would be more interested in the case (there were none present at the March 22, 2022 meeting) if they knew it was more than just increasing the size as was stated in the case posting.

Ms. Donovan stated that if Case 2022-SPFP-2 was approved, it could be contested within 30 days. The Board would have discretion to rehear the case. Ms. Donovan had not been contacted about the proposal. The applicant did not have to go to ZBA because it was an approved use in the RC District.

Mr. Merrow asked if there was staff comment. Ms. Donovan stated there was no Public Works comment (on JSH); no Conservation comment because there was no issue; the police had no comments and Fire Chief Yannuzzi visited the site and he had no concerns. She had added to her report that the facility would be required to give a master code for fire, EMS and police access. Fire Chief Yannuzzi questioned if the entrance would be paved (it is currently clay).

Mr. Merrow made a motion *to accept the application for Case 2022-SPFP-2: All Purpose Storage as complete*. It was seconded by Mr. Menard. *The motion passed 5-0-0.*

Mr. Chad Branon, P.E. from Fieldstone Land Consultants, PLLC introduced himself to the Board as agent for All Purpose Storage. He stated for clarification that there is currently a used car sales building on the site. It is currently leased to Carvana. That will remain; the self-storage facility will be added in the back of the property. He stated the application states they plan on building self-storage units and contractor bay units. The self-storage units will be located closest to the road; the contractor bays will be the last two (rows) in the back.

Mr. Branon reviewed the site development plans in the Board members packets. He explained the facility's set up:

1. Road egress/ingress: 24 foot width (requires DOT permitting and a condition of the Planning Board)
2. Ten storage units: eight self-storage and two contractor units
3. Complete access in all aisles ( 25 feet width)
4. Thirty foot width access around the perimeter for additional turning space for emergency vehicles and large trucks.
5. It is a gated, secure facility. Fencing will be a chain-link fence.
6. Lighting design (for no light pollution) for the self-storage area and the contractor area of the facility (full cutoff, downcast, night sky)

Mr. Branon explained the extensive storm water runoff management plan the company proposes. He answered all questions from the Board, including:

- ❖ The type of lighting. There was a new LED type out that did create light pollution.
- ❖ Will the contractor bays be heated? Yes, most likely with propane. The applicant is exploring other options.
- ❖ Restrictions for hazmat storage? Yes. The Board members and Mr. Branon discussed the company's proactive and ongoing policy of restricting the storage of hazmat materials.
- ❖ The policy of how the contractor bays worked within the storage facility. Mr. Branon explained the contractor bays and how the companies worked (not retail) to the Board members.
- ❖ Did the planners check the radius corners to ensure tractor trailer trucks will fit around the building? Yes. Mr. Branon explained how a 53 foot long tractor trailer truck would maneuver around the building.
- ❖ Will there be signage on the road side of the facility? The Board was told the applicant had a proposed sign. It was not internally lit. It will be a separate permit (through the Town). There was a discussion on having a sign, if Carvana will have a sign and the possible need of a variance.

Mr. Branon also explained the well and septic system that will be installed at the facility. Running water and bathroom facilities will be available for individuals. Firewalls will be installed as part of the building permit process. He pointed out parking areas for customers and company "fleet" vehicles.

Mr. Branon stated the applicant is requesting one waiver. The Newport Ordinance states amount of greenspace required is 35%. Currently their plans propose 32.8% greenspace. They are requesting a waiver of the 2.2% deficit. If they did not get the waiver the back row of parking would have to be deleted. They believed that the waiver is judicious because the company is collecting and treating all the stormwater runoff and they are going to mitigate everything on site. It has been designed to meet local and state criteria. The facility will be tax positive with no burden on local services. In the spirit and intent of the regulations; most of the greenspace is shared out front (toward the road). There will be a 50 foot buffer along the property lines. If the waiver is not granted, tenants will be informed in their leases of a reduced number of parking spaces.

Question:

Is there a maintenance plan? Yes, a maintenance and inspection plan.

Who is responsible for the plan (upkeep)? An Alteration of Terrain (AOT) permit is required for the site and project. There is enforcement by the state; following 'best management practices' which include: Erosion control,



Mitigation/Stormwater Management and Sediment removal.

Ms. Donovan informed the Board members that an independent inspector (not from the Town) will be called in. The facility will require more than a basic building inspection. There was a lengthy discussion between the Board, Ms. Donovan and Mr. Branon on inspections and best management practices.

Chairman Burnham opened the case to the public. There was no in attendance or on zoom.

Chairman Burnham returned to the Board for questions or comments.

Chairman Burnham stated the greenspace is closely met the applicant also had full retention onsite. His opinion was that the Board should waive the small percentage they did not meet. Mr. Merrow asked when the septic plan would be submitted. He was told as soon as they received approval from the Planning Board the septic design would be submitted. He explained the order of submissions to Mr. Merrow.

There was further discussion on the topography of the land between the Board members and Mr. Branon. Mr. Merrow listed the conditions for final approval:

- 1) Acceptance of the waiver for the greenspace
- 2) Pending DES septic approval
- 3) Pending NH DOT driveway permit

Mr. Tellor asked if the Board should ask for copies of the water and land management plans. Ms. Donovan stated she would request to have them for her files.

- 4) DES permits
- 5) Approved Alteration of Terrain (AOT) permit

On a motion by Mr. Merrow, seconded by Mr. Glasscock; ***the Board voted to approve Case 2022-SPFP-2 All Purpose Storage with the following conditions:***

- 1. Approved DES permits***
- 2. Approved Alteration of Terrain (AOT) permit***
- 3. Approved DES septic permit***
- 4. Approved NH DOT driveway permit***

***Acceptance of the waiver for the greenspace is granted.***

There was a discussion among members on the four criteria listed as well as the property's easement.

***The motion passed 5-0-0.***

#### **ADMINISTRATION:**

Work Date-March 29, 2022

Ms. Donovan confirmed March 29, 2022 at 6 pm for a work meeting to begin reviewing the Newport Zoning Ordinances and definitions. There was a general discussion on the March 29, 2022 meeting agenda and various subjects within the purview of the Planning Board.

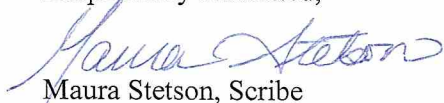
#### **COMMUNICATIONS:**

**Board:** Lot Line Adjustments/Annexations/Subdivisions were discussed by the Board.

**Public:** none

With no more business in the public meeting, on a motion by Mr. Merrow, seconded by Mr. Menard; ***the Board voted to adjourn at 7:33 p.m. The motion passed 5-0-0.***

Respectfully submitted,



Maura Stetson, Scribe

Approved: April 12, 2022

*The next meeting of the Planning Board will be a Work Session on March 29, 2022 at 6 pm in the Board of Selectmen's Room.*