

**TOWN OF NEWPORT, NH**  
**Minutes of the Planning Board Meeting**  
**November 10, 2020 – 6:00 P.M.**  
**Board of Selectmen's Room**  
**15 Sunapee Street**  
**Regular Meeting and Public Hearing**  
**Remote Access:**  
**Zoom.com - Meeting ID: 812 9945 3469 Password: 795764**

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

**MEMBERS ABSENT:** Ray Kibbey, John Hooper II, BOS Representative (applicant for Case 2020-VM-001)

**VIDEOGRAPHER:** John Lunn, NCTV

**STAFF PRESENT:** Christina Donovan, Planning and Zoning Administrator; Hunter Rieseberg, Town Manager

**COMMUNITY MEMBERS PRESENT:** Ed Karr

**CALL TO ORDER:** Chairman Burnham called the meeting to order at 6:06 p.m. followed by a roll call. When asked, he stated that there was a sitting quorum of Planning Board members.

**AGENDA REVIEW:** Accepted as presented.

**NEW BUSINESS:**

**2020-SDFP--003 Dennis Fleury (Owner):** Request final review of a two lot subdivision for the property identified as Map 235 Lot 22. The proposal is to subdivide the 90+/- acres into two lots. The proposed lots will be 82.5 Acres and 7.5+/- Acres. The property is located on John Stark HWY in the Rural/Commercial (RC) Zoning District.

Chairman Burnham opened Case 2020-SDFP-003.

Mr. Merrow made a motion *to accept the application as complete*. It was seconded by Mr. Menard. Chairman Burnham called for a vote on the motion. *The motion passed 5-0-0.*

Mr. Tom Dombroski addressed the Board and stated that the applicant had been before the Board a month earlier and asked for a Special Exception to create a backlot. Using a posted site plan, he explained the subdivision the applicant is proposing. There is no change to the entrance onto the state highway, Ms. Donovan will be given information concerning the entrance for the NH DOT.

Chairman Burnham asked if the right of way will be large enough if a lot is sold. Will there be a maintenance agreement for the right of way. Mr. Dombroski said an agreement could be attached to the deed if it was sold. Mr. Merrow said the language of the easement, right of way, needs to be recorded with the plan. Specifying, Mr. Merrow said that Lot One needed the right of way language (in the deed); Lot Two will have it "as referenced".

Chairman Burnham opened the hearing to the public. There being no questions on the case, Chairman Burnham asked the pleasure of the Board.

Mr. Merrow made a motion *to approve Case 2020-SDFP-003; with the following condition:*

- 1) *Prior to the Planning Board approving and signing the Mylar that the deed restriction for the right of way from Lot One to the abutting lots be noted on the plan.*

It was seconded by Mr. Menard. *The motion passed 5-0-0.*

**2020-VM--001 John Hooper (Owner):** Request final review of a voluntary merger for the properties identified as Map 256 lot 010 and Map 256 Lot 005. The properties are located on Page Hill Road in the Rural(R) Zoning District.

Chairman Burnham opened Case 2020-VM-001.

Mr. Merrow made a motion *to accept the application as complete.* It was seconded by Mr. Tellor. Chairman Burnham called for a vote on the motion. *The motion passed 5-0-0.*

Chairman Burnham asked Mr. Hooper to present his case.

Mr. Hooper stated they are two properties separated by a road. They were acquired at two different times. The previous owner never merged the lots together into one lot. Mr. Hooper purchased the properties and is merging the lots into one.

Question asked:

Was an easement necessary because of the road? No.

Chairman Burnham opened the hearing to the public. There were no questions on the case.

Chairman Burnham asked the pleasure of the Board.

Mr. Merrow made a motion *to approve Case 2020-VM--001 as presented.* It was seconded by Mr. Glasscock. *The motion passed 5-0-0.*

Chairman Burnham signed the Notice of Decision.

**CONTINUED BUSINESS:** None

**MINUTES:** September 22, 2020

September 22, 2020

On a motion by Mr. Merrow, seconded by Mr. Tellor; *the Planning Board voted to approve the minutes of the September 22, 2020 meeting as presented. The motion passed 3-0-2 (Menard and Glasscock abstained).*

#### **ADMINISTRATION:**

Hunter Rieseberg: Town of Newport Acquiring 19 Depot Street

Town Manager Rieseberg addressed the Planning Board and explained that the Town had been approached by Bar Harbor Bank in Newport. The bank would like to gift the Depot building and the lot it was on to the Town. Town Manager Rieseberg said that as part of an acquisition of land, the law (NH RSA 41:14-a) requires the Selectboard to go to the Planning Board and the Conservation Commission for comments and recommendations. Town Manager Rieseberg stated he had brought this to the Conservation Commission and had a motion with their non-binding recommendation. He was now bringing it to the Planning Board for their comment and recommendation.

Town Manager Rieseberg explained:

- The bank has offered to gift the Depot with enough land for approximately nine parking spaces. Bar Harbor has gone through the subdivision process for the purpose of donating it to the Town of Newport at no expense to the taxpayers.
- Selling the Depot or using it for Town purposes would be options for the Selectboard.
- After recommendations have been brought to the BOS, two public hearings will be held before it is accepted by the Town. A Warrant Article at Town meeting allowing the BOS to accept gifts is the reason it does not have to go before the Town voters.

There were brief statements by members of the Planning Board.  
As a Board they concurred it was a good idea as presented.

#### Road improvements/traffic studies: Pine, Spring, Elm, Maple Street Extension

Members asked for the progress of the traffic studies from the Avanru Case. Ms. Donovan gave an explanation and update.

#### Planning Board Training

A joint ZBA and Planning Board training session will be held on December 1, 2020 at 6 p.m. in the BOS Room. Potential items for discussion and inclusion in the training session were brought up.

When asked, Ms. Donovan told the Planning Board members that the next regular meeting of the Planning Board will be on December 8, 2020 at 6 p.m.

When asked, Ms. Donovan stated that the minutes of the August 11, 2020 and August 18, 2020 meetings would be voted on at the December 8, 2020 Planning Board meeting. There was a discussion between the Board, Ms. Donovan and Town Manager Rieseberg concerning the August minutes.

#### Suggested updates to Master Plan/ New to Newport Application for Lot Line Adjustment

Ms. Donovan and the Board discussed the purview of the Planning Board and the Master Plan.

Mr. Merrow addressed Ms. Donovan and asked that she get and use the NH RSA 74:44 verbiage for Lot Line Adjustments for Newport to use. There will be additional discussions on both the Newport Master Plan and new verbiage for lot line adjustments at future meetings of the Planning Board.

Also brought up were tiny houses, variances and building codes. No decisions or actions were made.

#### **COMMUNICATIONS:**

- a) **Board:** none
- b) **Public:** Mr. Karr spoke to the board and:
  1. Commended them for having a training session.
  2. Thanked them for answering his procedural questions throughout the months.
  3. Requested financial information (attorney fees) again with a Right to Know Request
  4. Asked them to address the (August) minutes of the Planning Board.

On a motion by Mr. Merrow, seconded by Mr. Tellor; *the Board voted to adjourn at 8:02 p.m. The motion passed 5-0-0.*

Respectfully submitted,

Maura Stetson  
Scribe

Approved: December XX, 2020