

Zoning Board of Adjustment
July 29, 2021 6:30 PM
Board of Selectmen's Room/Municipal Building
15 Sunapee Street/Newport, NH

Remote Access:

Zoom.com - Meeting ID: 876 3450 7050 **Password:** 418786
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PRESENT BOS ROOM: Ben Nelson, Acting Chairman; Tim Beard, Chris Whalen, Jeffrey Kessler, BOS Representative; Bert Spaulding, Sr.

ABSENT MEMBERS: Scott McCoy, alternate

VIDEOGRAPHER: John Lunn, NCTV

STAFF PRESENT: Christina Donovan, Zoning Administrator

COMMUNITY MEMBERS PRESENT: Clare Gardner

CALL TO ORDER: Chairman Nelson called the meeting to order at 6:31 p.m. followed by a roll call.

ADMINISTRATION: none

MINUTES: none

Mr. Bert Spaulding, Sr. recused himself from the Board for Case #1110.

CONTINUED BUSINESS:

Case #1110: Jim Mullane (Owner): Request a Special Exception as provided for in Article II, Section 206B.2 for the selling of automotive vehicles. The property is identified as Map 235 Lot 032 and located at 14 Barton Whitney Road located in the Kelleyville (K) Zoning District.

Acting Chairman Nelson read aloud Case #1110 into the record. He addressed the applicant and asked Mr. Mullane to explain what he would like to do with his property. Mr. Mullane briefly explained that he wanted to make the lot a second sales location for automobiles. He explained his business to the Board members. Acting Chairman Nelson asked if there were questions from the Board. Mr. Whalen asked Mr. Mullane about his locations. He asked about the ramp located on the lot (photo in the Board packets). Mr. Mullane explained it will be used to display vehicles.

Acting Chairman Nelson asked if anyone from the public would like to speak to the Case. Mr. Spaulding, Sr. explained the revitalization of the Kellyville District. Property lots were large and businesses were encouraged. He was in favor of the applicant's Special Exception.

Acting Chairman Nelson addressed the applicant and asked why they were seeking a Special Exception. He explained that the original one had lapsed; he had to apply for another one. There were no further questions from the Board.

On a motion by Mr. Kessler, seconded by Mr. Beard; *the Board voted to go into Deliberations. The motion passed 4-0-0.*

Mr. Whalen asked about the grass and gravel areas in photos in the Board packets. Mr. Mullane explained where they were on the lot and why. Mr. Whalen and Mr. Kessler reviewed aspects of the Kellyville (K) District and the business's needs. When Mr. Whalen asked about a sign, Ms. Donovan stated the applicant would get a permit from the Zoning Office. Mr. Kessler stated that in the zoning ordinance there were limits on the size (dealt with by the Zoning Office). He also explained there were oversized signs that had been granted permits; Shaws and Reed Trucking were examples.

Zoning Board of Adjustment Special Exception

Acting Chairman Nelson asked for a motion and vote on each Standard.

Standard A

Mr. Kessler made a motion that: ***The proposed use will not be detrimental to the overall character of the neighborhood by reason of undue variation from the nature of other uses in the vicinity including design, scale, noise and odor; Standard A has been met.*** The motion was seconded by Mr. Beard. Acting Chairman Nelson called for a vote. ***The motion passed 4-0-0.***

Standard B

Mr. Kessler made a motion that: ***The proposed use will not be injurious, noxious or offensive or in any way detrimental to the neighborhood. Standard B has been met.*** The motion was seconded by Mr. Beard. Acting Chairman Nelson called for a roll call vote. ***The motion passed 4-0-0.***

Standard C

Mr. Kessler made the motion that: ***The proposed use will not be contrary to the public health, safety and general welfare by reason of undue traffic congestion or hazards that pose a risk to life and property or be unsanitary or create unhealthful waste disposal or unhealthful conditions. Standard C has been met.*** It was seconded by Mr. Whalen. Acting Chairman Nelson called for a vote. ***The motion passed 4-0-0.***

Acting Chairman Nelson asked for a motion on a collective Standard A, B and C for Case #1110. On a motion by Mr. Kessler, seconded by Mr. Beard; ***the Board approved the Special Exception for Case #1110 as presented.*** Acting Chairman Nelson called for a roll call vote. ***The motion passed 4-0-0.***

Acting Chairman Nelson congratulated the applicant.

On a motion by Mr. Beard, seconded by Mr. Kessler; ***the Board voted to adjourn at 6:42 p.m. The motion passed 4-0-0.***

Respectfully submitted,

Maura Stetson, Scribe

Approved on: August XX, 2021