

Town of Newport
Zoning Board of Adjustment
August 19, 2026 6:30 PM
Board of Selectmen's Room/Municipal Building
15 Sunapee Street/Newport, NH

PRESENT MEMBERS: Ben Nelson, Chairman; Nick Vertefeuille, alternate; Scott Meyers

ABSENT MEMBERS: Chris Whalen, Mary Knapp, Jeff Kessler, BOS Representative; James Burroughs, BOS Representative alternate

VIDEOGRAPHER: NCTV

STAFF PRESENT: Joseph Hoppock, Planning and Zoning Administrator

APPLICANTS: Clayton Aldrich Case #2023; Marybeth Palumbo and Amelia Pillsbury Case #2024

ABUTTERS: none

CALL TO ORDER: Chairman Nelson called the meeting to order at 6:30 pm. followed by a roll call and the Pledge of Allegiance.

ADMINISTRATION: Mr. Hoppock informed the Board that Case #2024 was remote (via zoom)

AGENDA REVIEW: set

MINUTES: June 17, 2026

June 17, 2026

On a motion by Mr. Meyers seconded by Mr. Vertefeuille; *the Board approved the minutes of the June 17, 2026 meeting as presented. The motion passed 3-0-0.*

Chairman Nelson addressed the applicant and stated there was a quorum of three (3) Board members. He explained that in order for his case to be approved, all three Board members would have to vote in favor of it. The applicant could wait for a ZBA meeting with a quorum of four (4) members (one could vote against his request and it would still pass). The applicant informed Chairman Nelson he would like to proceed with his case.

NEW BUSINESS:

Case #2023: Clayton Aldrich (Owner): Request a Special Exception from the terms of Article IV, Section 413 and Article IV Section 402 of the Zoning Ordinance to allow a “home business” at property identified at Map 111, Lot 057 and located at 60 Cheney Street within both the Professional business (PB) and General Residential (R-2) Districts.

Chairman Nelson opened Case # 2023. He addressed Mr. Aldrich and asked him to explain his proposal. Mr. Aldrich explained his small business proposal and when asked, explained the home's location to the Board. After reading the Special Exception application into the record, he further explained he was a stay-at-home dad and wanted to conduct a low impact home business (take in electronics, sell some and bring the remaining parts to a professional recycler). Chairman Nelson opened the Hearing to the public. There were no abutters present. Mr. Meyers stated the case met Criteria for 413. Chairman Nelson concurred. Chairman Nelson closed the hearing to the public. Mr. Vertefeuille made a motion *to go into Deliberations*. It was seconded by Chairman Nelson. *The motion passed 3-0-0.*

Zoning Board of Adjustment Special Exception

Section 402:

Mr. Meyers made a motion that *the applicant's proposed use is “home business” as defined in the zoning ordinance*. All members concurred.

Section 413 Criteria:

413.1

Chairman Nelson made a motion that *the proposed home business will be carried out by the resident of the dwelling unit without employees*. It was seconded by Mr. Vertefeuille. *The motion passed 3-0-0.*

413.2

Chairman Nelson made a motion that *the proposed home business will be carried out within the principal structure (home).* It was seconded by Mr. Vertefeuille. *The motion passed 3-0-0.*

413.3

Chairman Nelson made a motion that *the proposed home business will not involve exterior storage of materials or vary the residential character of the neighborhood.* It was seconded by Mr. Meyers. *The motion passed 3-0-0.*

413.4

Chairman Nelson made a motion that: *the proposed home business will not produce noise, vibration, smoke, dust, electrical disturbance, odor, heat or glare.* It was seconded by Mr. Vertefeuille. There was no discussion. *The motion passed 3-0-0.*

413.5

Chairman Nelson made a motion that *the proposed home business will not generate activity in greater volumes than would normally be expected in this neighborhood.* It was seconded by Mr. Vertefeuille. *The motion passed 3-0-0.*

413.6

Chairman Nelson made a motion that *the proposed home business will not provide off-street parking because it will not be necessary.* It was seconded by Mr. Meyers. *The motion passed 3-0-0.*

413.7

Mr. Vertefeuille made a motion *that no building will be remodeled or expanded to accommodate the home business without required permitting.* It was seconded by Mr. Meyers. *The motion passed 3-0-0.*

Section 402 Criteria:

Chairman Nelson made a motion that *the proposed site is an appropriate location for the proposed use.* It was seconded by Mr. Meyers. *The motion passed 3-0-0.*

Chairman Nelson made a motion that *adequate and safe highway access is provided to the proposed use and there is adequate off-street parking provided for the proposed use.* It was seconded by Mr. Vertefeuille. *The motion passed 3-0-0.*

Chairman Nelson 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.* It was seconded by Mr. Vertefeuille. *The motion passed 3-0-0.*

Chairman Nelson made a motion that *the proposed use will not be injurious, hazardous or in any way detrimental to the neighborhood, and*
The proposed use is consistent with the spirit of the ordinance and the intent of the Master Plan. It was seconded by Mr. Meyers. *The motion passed 3-0-0.*

Mr. Meyers made a motion *to approve the Special Exception as presented.* It was seconded by Mr. Vertefeuille. *The motion passed 3-0-0.*

Chairman Nelson asked for a motion to memorialize the Board's decision.

Mr. Vertefeuille made a motion *to approve a Special Exception for Case #2023 as presented.* It was seconded by Mr. Meyers. *The motion passed 3-0-0.*

Chairman Nelson informed the applicant that abutters had thirty (30) days to appeal the ZBA decision. In discussion with the applicant, Chairman Nelson addressed the viewing public and requested that they tell their neighbors of their proposals before coming before the ZBA. Applicants could answer their neighbors' questions before the meeting.

Mr. Hoppock addressed the Chair and explained Case #2024 was being presented not by the owner but by Marybeth Palumbo, agent. She is requesting a variance for a setback to install an accessibility ramp at 29 Myrtle Street.

Case #2024: Marc Tremblay (Owner) Marybeth Palumbo (Agent): Request a Variance from the terms of Article II, Section 208.5.B of the Zoning Ordinance to install an aluminum ramp to accommodate a tenant (Ms. Palumbo) with a physical disability. The proposed ramp will encroach approximately 4.5 feet into the required eight (8) foot side yard setback, resulting in approximately 3.5-foot setback from the side property line on property identified at Map 110, Lot 049, located at 29 Myrtle Street.

Chairman Nelson opened Case #2024 and acknowledged Ms. Palumbo who was attending the meeting via zoom. He asked her to explain her proposal to the ZBA members.

After explaining her disability, Ms. Palumbo told the Board that none of the entrances to her apartment have the ability to get her wheelchair out/in the building. Her state caseworker assisted getting an aluminum ramp purchased for her use. Ms. Palumbo applied for a building permit, afterwards she was told there was a side setback issue; she would need a variance. Ms. Palumbo explained the proposed location for the ramp; it would be temporary. When she moved, she would take the ramp with her. Questions were answered by both Ms. Palumbo and her daughter Ms. Pillsbury.

Questions:

1. The set of stairs before the ramp, what is the distance from ramp to bottom of stairway? Ms. Palumbo stated they were emergency stairs to the upstairs apartment.
2. Will the ramp encroach on the emergency egress stairs? No. When measured, there were 4 feet between the ramp and the set of stairs.

Mr. Meyers informed Chairman Nelson that if the ramp was too close to the stairs it would be a fire code problem. He explained.

3. Would the whole ramp be located on the house's property (lot)? Would it be on pavement, gravel?

A photo indicated the fence (property line) and low wall (garden)

All agreed installing a ramp was a reasonable use. ADA requirements state that whatever modifications are necessary needed to be done (whether paid for by apartment owner or tenant).

4. How far from the street will the ramp be located? Approximately 25 feet (2 car lengths) from the edge of the ramp to the street.

In discussion, the biggest concern was clearance between the ramp and the stair rail with the fire department. Eliminating the required setback was brought up; instead having a set amount of distance from the property line. It would ensure ability to install the ramp and ensure public safety. Chairman Nelson said a condition could be that the fire department sign off on the ramp (that the distance meets their code). The Board members concurred.

Chairman Nelson closed the hearing to the public and asked for a motion to go into Deliberations.

Mr. Meyers made a motion *to go into Deliberations*. It was seconded by Mr. Vertefeuille. ***The motion passed 3-0-0.***

Variance Statement of Reasons and Discussion Chairman Nelson asked for motions on the prongs. Mr. Vertefeuille made a motion that: ***Granting the Variance would not be contrary to the public interest because the use was a reasonable one. The access ramp would create access into the building for the applicant.*** It was seconded by Mr. Meyers. Chairman Nelson called for a vote. ***The motion passed 3-0-0.***

Mr. Meyers made a motion that: *The spirit of the ordinance would be observed because the purpose of the access setback maintains adequate spacing between the structures and also provided egress for ADA and others.* Mr. Hoppock suggested stating: *the proposed use will not alter the essential characteristics of the neighborhood or impose a threat to the public health safety or welfare.* It was seconded by Mr. Vertefeuille. There was no discussion. Chairman Nelson called for a vote. *The motion passed 3-0-0.*

Mr. Vertefeuille made a motion that: *Granting the Variance would do substantial justice because it allows the applicant to use an existing dwelling and it is an accessory structure (ramp) and does not bear the same weight as the primary dwelling.* In discussion, Mr. Meyers stated it can be removed at any time. Mr. Vertefeuille agreed. It was seconded by Mr. Meyers. Chairman Nelson called for a vote. *The motion passed 3-0-0.*

Mr. Vertefeuille made a motion that: *For the following reasons the values of the surrounding properties would not be diminished because: it is a residential use in a residential neighborhood; as well as it is a reasonable use on the property. It will have no impact on the value of the surrounding properties.* It was seconded by Mr. Meyers. Chairman Nelson called for a vote. *The motion passed 3-0-0.*

Unnecessary hardship

Not applicable per RSA 674:33, V.

The Board reviewed the conditions to approve: 1. Fire department sign off on egress distance for fire code; to allow the most room possible: 2. Up to a 1.5-foot setback from the property line.

Chairman Nelson called for a motion to memorialize the decision of the ZBA to grant the Variance. Mr. Vertefeuille made a motion to *grant the Variance for Case #2024 as presented, with the following conditions:*

- 1) the Fire Chief signing off on the placement of the ramp and*
- 2) to give applicant up to a minimum of a 1.5-foot side setback to the property line (conditional on the necessity to move the ramp to achieve fire code).* It was seconded by Mr. Meyers. Chairman Nelson called for a vote. *The motion passed 3-0-0.*

COMMUNICATION: Mr. Hoppock reminded the ZBA there will be a joint meeting of all Land Use Boards on September 30, 2026 at 6 pm at the LaValley Family Community Center. ZBA members asked that email reminders be sent to them.

There being no further business, on a motion by Mr. Vertefeuille, seconded by Mr. Meyers; *the Board adjourned at 7:14 pm. The motion passed 3-0-0.*

Respectfully submitted,



Maura Stetson, Scribe

Approved on: September 16, 2026