

Posted 6/22/2023

**NEWPORT ZONING BOARD OF REVIEW**  
**Monday, June 26, 2023 – 6:30 P.M.**

**MEETING AGENDA**

**I. Call to Order**

**II. Roll Call and Determination of Quorum**

**III. Minutes:**

1. March 27, 2023 Draft Minutes
2. March 28, 2023 Draft Minutes

**IV. Communications**

1. **Action Items –**

- a. **2-4 Ledyard St** – Request for additional 12-month extension, June 7, 2023
- b. **App #2019-Aug-1 (Waites Wharf)** – Set Special Meeting dates. Suggested dates: August 14, 2023, August 21, 2023, and September 18, 2023. Direct applicant to submit updated materials. Direct Staff to send revised abutters and Newspaper Noticing for these dates.

**V. Summary Calendar**

1. App. #2023-Jun-002 PETITION OF JAMES CROCKFORD, applicant and owner, **33 Brenton Road**, TAP 41, Lot 241, (R-160 Zone, Historic Overlay), for a special use permit and dimensional variances to place one condenser 45’ from the rear property line, two condensers 25’ from the south (side) property line, and three propane tanks 40’ from the north (side) property line (50’ required for each).  
Application Materials, April 17, 2023  
Staff Report, June 22, 2023
2. App. #2023-Jun-009 PETITION OF KIMBERLY COMFORT, applicant and owner, **19 Second Street**, TAP 16, Lot 041, (R-10 Zone, Historic Overlay), for a dimensional variance to place a condenser on the second level of the rear of the house, 4’ from the side property line (10’ required).  
Application Materials, May 5, 2023  
Staff Report, June 22, 2023

## VI. Abbreviated Summary

1. App. #2022-Oct-5. PETITION OF DONALD & TRACY FITCH, applicant and owner; **2 Ashurst Place**, TAP 19, Lot 113, (R-10 zone); for a special use permit and a variance to the dimensional requirements to construct a third floor dormer, a roof deck, and access stairs, located 3.8' from the side property line (10' required) and 6.2' from the front property line (15' required), which increase the height from 30.5' to 35.25' (30' limit), and construct an expanded stairs, which increase the lot coverage from 32% to 33% (20% limit).
  - Application Materials, September 21, 2022
  - Supplemental Materials – Revised Plans, March 21, 2023
  - Supplemental Materials – Jim Houle Report, March 22, 2023
  - Staff Report, March 23, 2023
  - Supplemental Materials – Revised Jim Houle Report, June 7, 2023
  - Public Comment – Combined June 22, 2023
  - Supplemental Staff Report, June 22, 2023
2. App. #2023-May-006 PETITION OF CHRISTINA & THOMAS MAGEE, applicants and owners, **17 Kempsen Street**, TAP 11, Lot 583, (R-10A Zone) for a special use permit and dimensional variance to construct a second story addition, located 3'-3" from the side property line (10' required).
  - Application Materials, March 30, 2023
  - Staff Report, June 22, 2023
3. App. #2023-May-007 PETITION OF MARK ROTELLA, applicant and owner, **33 Garfield Street**, TAP 7, Lot 280, (R-10 Zone) for a special use permit to remove a rear deck, located 7' from the rear property line, and construct a new, two-story addition at the rear of the existing residence, decreasing the lot coverage from 23% to 22.7% (20% permitted). (**Continue to July 24, 2023 to allow for Re-Advertising**)
4. App. #2023-Jun-001 PETITION OF ANNEMARIE STELLA, applicant and owner, **32 Slocum Street**, TAP 34, Lot 102, (R-10 Zone), for a special use permit and dimensional variance to construct a second story addition over the existing first floor footprint, located 5' from the rear property line (20' required) and 4'-6" from the west (left) side property line (10' required).
  - Application Materials, April 11, 2023
  - Letters of Support – Combined, June 22, 2023
  - Staff Report, June 22, 2023

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5. App. #2023-Jun-003 PETITION OF LAWRENCE WEBER AND MARY GERDES, applicants and owners, **7 Sylvan Street**, TAP 33, Lot 060, (R-10 Zone), for a special use permit and dimensional variance to construct a second-story deck on the front of the building, expand the front staircase located at 0' from the front property line (15' required), and expand a rear addition, retaining a lot coverage of 39.7% by removing a portion of a rear patio.  
Application Materials, April 17, 2023  
Public Comment – Combined, June 22, 2023  
Revised Application and Plans, June 22, 2023  
Staff Report, June 22, 2023
6. App. #2023-Jun-004 PETITION OF MATTHEW ANDERSON, applicant and owner, **7 Rhode Island Avenue**, TAP 19, Lot 162, (R-10 Zone), for a special use permit and dimensional variance to construct two rear dormers, reaching approximately 34' in height on a 39'-4" tall structure (30' allowed).  
Application Materials, April 24, 2023  
Staff Report, June 22, 2023
7. App. #2023-Jun-005 PETITION OF KEVIN AND KATHRYN CARROLL, applicants and owners, **7 Atlantic Street**, TAP 40, Lot 162, (R-10 Zone), for a special use permit and dimensional variances to remove an existing rear addition and construct a new rear addition, located 4'-7 ¾" from the west (right) side property line and 4'-4 ½" from the east (left) side property line, increasing the lot coverage from 33.9% to 39.4% (20% permitted).  
Application Materials, April 24, 2023  
Staff Report, June 22, 2023
8. App. #2023-Jun-007 PETITION OF CHRISTOPHER AND DEBRA WALSH, applicants and owners, **3 Key Court**, TAP 37, Lot 079, (R-10 Zone), for a special use permit and dimensional variance to construct a new covered front porch, increasing the lot coverage from 28% to 30.9% (20% allowed).  
Application Materials, April 26, 2023  
Corrected Application, June 6, 2023  
Staff Report, June 22, 2023
9. App. #2023-Jun-008 PETITION OF DONALD BAILEY, applicants and owners, **126 Kay Street**, TAP 11, Lot 448, (R-10A Zone), for a dimensional variance to construct a detached temporary fabric structure, increasing the lot coverage from 18.7% to 21.1% (20% allowed).  
Application Materials, May 3, 2023  
Staff Report, June 22, 2023

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10. App. #2023-Jun-011 PETITION OF EMPIRE OCEAN MANAGEMENT, LLC, applicant and owner, **11 Boss Court**, TAP 39, Lot 370, (R-10 Zone), for a special use permit and dimensional variances to demolish an existing, non-conforming single-family dwelling, and construct a new single-family dwelling, located 8'-9" from the front property line (15' required) and 5'-1" from the north (right) and south (left) side property lines (10' required for both), increasing the lot coverage from 24.4% to 25.8% (20% allowed).

Application Materials, May 3, 2023

Planning Board – Demolition Approval, April 18, 2023

Staff Report, June 22, 2023

### **VII. Appeals**

1. APPEAL OF MARK & IDA ARAMLI, owners and applicants; **54 Hammersmith Road**, TAP 43, Lot 54, (R-160 zone); appealing the decision of the Historic District Commission denying the Appellants application for a Certificate of Appropriateness to construct a new single-family dwelling and to modify a historic stone wall. (**Continue to 7/24/2023 to set briefing schedule**)

### **VIII. Full Hearing Petitions to be Considered**

1. \* App. #2022-Jul-4. AMENDED PETITION OF JOHN-PAUL & NICOLE SHEVORY, applicants and owners, **11 W. Narragansett Avenue**, TAP 39, Lot 64, (R-10 zone); for a special use permit and dimensional variances for permission to reconfigure the front porch and stairs; add two dormers along the third floor north and south roof lines, which will be located 4' 7" from the east property line (10' required); add a rear addition, basement bulkhead, and a rear deck and exterior staircase to the south side of the existing structure; and add a recessed deck above the 2nd floor roof, which will increase lot coverage from 38% to 47% (20% allowed).

Application Materials, June 27, 2022

Amended Application, March 21, 2023

Supplemental Materials – Jim Houle Report, March 22, 2023

Public Comment - Combined, March 23, 2023

Staff Report, March 23, 2023

Letter of Objection – Hoefgren, March 28, 2023

Amended Application, May 10, 2023

Supplemental Materials – Revised Plan Set, May 11, 2023

Supplemental Materials – Roof Comparison, May 11, 2023

Supplemental Materials – Third Floor Plan, May 11, 2023

Supplemental Materials – Revised Jim Houle Report, May 18, 2023

Amended Staff Report, May 18, 2023

Amended Staff Report, June 22, 2023

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2. App. #2023-Jan-007. PETITION OF MARY O'REILLY DEMA REVOCABLE TRUST, applicant and owner, **224 Gibbs Avenue**, TAP 20, Lot 101 (R-10A zone), for a special use permit and a variance to the dimensional requirements for permission to remove existing deck and stairs and construct an addition with a roof deck, with a 10'9" rear setback (20' required) and increasing lot coverage from 36% to 41% (20% allowed).
  - Application Materials, December 22, 2022
  - Letter of Support, March 21, 2023
  - Staff Report, June 22, 2023
  
3. App. #2023-Feb-011 PETITION OF ANGELINA PATTAVINA, applicant and owner, **468 Thames Street**, TAP 32, Lot 121, (LB Zone) for a special use permit to convert one residential unit into a 2-bedroom guest house.
  - Application Materials, January 23, 2023
  - Amended Application, February 14, 2023
  - Planning Board Memo, April 19, 2023
  - Letters of Support – Combined, June 22, 2023
  - Staff Report, June 22, 2023
  
4. \*App. #2023-Mar-006 PETITION OF IHAB CHAMSEDDINE, applicant and owner, **236 Broadway**, TAP 14, Lot 082, (R-10 Zone) for a use variance to permit a fast-food restaurant, and a dimensional variance to provide 0 new parking spaces (1 additional required).
  - Application Materials, February 3, 2023
  - Planning Board Memo, April 3, 2023
  - Letters of Support – Combined June 22, 2023
  - Letters of Opposition – Combined, June 22, 2023
  - Staff Report, June 22, 2023
  
5. \*App. #2023-Mar-010, PETITION OF 77 BRIDGE STREET, LLC, applicant and owner, **14 Second Street**, TAP 16, Lot 120, (R-10 Zone, Historic Overlay) for a special use permit and dimensional variances to relocate a single-family dwelling by approximately 26' to the south, construct an addition to the north and a new stair case to the south and west of the residence, located 3.7' from the east front property line (15' required), 8.6' from the west side property line (10' required), increasing the lot coverage from 16% to 27% (20% permitted).
  - Application Materials, February 21, 2023
  - HDC Approval, February 14, 2023
  - Letter of Opposition, April 24, 2023
  - Staff Report, June 22, 2023

**IX. Full Hearing Petitions to be Continued**

1. App #2019-Aug-1. PETITION OF HARBOUR REALTY, LLC, applicant; HARBOUR REALTY, LLC., TOMORL, LLC., 20 WEST EXTENSION, LLC., WAITES WHARF REALTY ASSOCIATION, LLC., AND THOMAS B. ABRUZESE, owners; **0, 1, 16 & 25 Waite's Wharf, 23 Coddington Wharf, and 20 West Extension Street**, TAP 32, Lots 155, 267, 268, 272, 248, & 293, (WB zone); for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structures and construct a 150-room transient guest facility, (91 rooms allowed), with a standard restaurant, banquet and wedding facilities, and provide 266 off-street parking spaces on a noncontiguous lot, (all off-street parking must be on the same lot as the use required), and to allow of use of public right of way to maneuver into and out of spaces, (Use of public right of way not allowed). **(Continue for Control. Set Special Meeting dates. Proposed meeting dates: August 14, 2023, August 21, 2023, and September 18, 2023)**
2. \*App. #2022-Dec-001. PETITION OF SPRUCE HOMES, LLC, owner and SEAN NAPOLITANO applicant; **0 Carroll Avenue**, TAP 41, LOT 93, (R-10 zone), for a special use permit and dimensional variance to construct a new single-family home with a detached garage on an existing 5,015 sq.ft. lot (10,000 sq.ft. required), with lot coverage of 29% (20% allowed). **(Continue to 7/24/23 by request of the Applicant)**
3. \*App. #2023-Mar-003 PETITION OF JEREMIAH & HEATHER LYNCH, applicants and owners, 0 Second Street, TAP 16, Lot 206, (R-10 Zone, Historic Overlay) for dimensional variances to demolish an existing garage and construct a new single-family dwelling, located 5' from both side property lines and rear property line (5' required for all), with a lot coverage of 44% (20% permitted). **(Continue to July 24, 2023 to allow for Re-Advertising)**
4. App. #2023-Mar-014 PETITION OF AUDRAIN AUTOMOBILE MUSEUM, LLC, applicant, ARC HTNEWRI001, LLC, owner, **2 Kay Street**, TAP 21, Lot 137, (R-10 Zone, Historic Overlay) for a modification to a special use permit to permanently approve the location for use during the two-day annual Audrain Motor Week for special events. **(Continue to 7/24/23)**
5. \*App. #2023-Mar-013 PETITION OF ANTHONY LORUSSO, applicant and owner, **37 Wellington Ave**, TAP 39, Lot 137, (R-10 Zone) for a special use permit and dimensional variances to construct a three-story addition, located 4'-2" from the north front property line (15' required), increasing the lot coverage from 22.9% to 33.9% (20% permitted). **(Continue to 7/24/23)**
6. App. #2023-Mar-015 PETITION OF NIALL & PETRA NUGENT, applicants and owners, **387 Spring Street**, TAP 32, Lot 142, (R-10 Zone) for a special use permit and dimensional variances to construct one- and two-story additions, located 5'-0" from the west side property line (10' required) increasing the lot coverage from 34% to 41% (20% permitted). **(Continue to 7/24/23)**

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7. App. #2023-Apr-002 PETITION OF BMT, LLC, Lessee, CAM, LLC, applicants and owner, **206 Thames Street**, TAP 24, Lot 157, (GB Zone) for a special use permit and dimensional variances to make modifications to an existing restaurant, adding 1,546 square feet of service area, located partially outdoors, adding a stairwell that increases the lot coverage from 91.1% to 94%, and providing zero additional parking spaces (11 additional spaces required). **(Continue to 7/24/23)**
8. App. #2023-Apr-004 PETITION OF STEVEN MCCAULEY, applicant, and STEVEN MCCAULEY, TINKA MCCAULEY, ALEKSANDER PLAKU, AND LEOPOLD MARTINI, owners, **668 Thames Street**, TAP 40, Lot 027, (LB Zone) for a special use permit to convert one two-bedroom unit in a three-unit building to a guest house. **(Continue to 7/24/23)**
9. App. #2023-Apr-005 PETITION OF DAVID PLATT, applicant and owner, **70 Bridge Street**, TAP 16, Lot 078, (R-10 Zone, Historic Overlay) for a special use permit, dimensional variance, and regulatory variance to construct a second principal residential building on a property, increasing the lot coverage from 18% to 26% (20% permitted). **(Continue to 7/24/23)**
10. App. #2023-Apr-007 PETITION OF DANA PICKUP, applicant, and JULIA HOGAN, owner, **38 Simmons Street**, TAP 39, Lot 315, (R-10 Zone) for a special use permit and dimensional variances to remove a rear entry and bulkhead and construct a 14'x16' rear deck, located 16' from the rear property line (20' required), increasing the lot coverage from 31.3% to 38.4% (20% permitted). **(Continue to 7/24/23)**
11. App. #2023-May-002 PETITION OF ADRIAN PREZIOSO, applicant and owner, **24 Byrnes Street**, TAP 35, Lot 061, (R-10 Zone) for a special use permit and dimensional variances to 1) expand a front porch, located 1'10" from front property line, 2) construct a rear addition, located 2'-1" from the side property line (10' required) and 5'-7" from the rear property line (20' required), and 3) add a deck partially within the rear setback, increasing the lot coverage from 28.5% to 39.5% (20% permitted). **(Continue to 7/24/23)**
12. App. #2023-May-003 PETITION OF FRED ROY, applicant and owner, **43 Palmer Street**, TAP 41, Lot 163 (R-10 Zone) for a special use permit and dimensional variance to construct a detached carport over an existing driveway, located 2' from the front property line (20' required) and 3' from the side property line (10' required), increasing the lot coverage from 30.8% to 39.25%. **(Continue to 7/24/23)**
13. App. #2023-May-004 PETITION OF CHARIE AND PAUL SAUNDERS, applicants and owners, **37 W. Narragansett Avenue**, TAP 39, Lot 410, (R-10 Zone) for a special use permit and dimensional variances to construct a 2-story addition, located 16'-5" from the rear property line (20' required), increasing the lot coverage from 24.3% to 33.4% (20% permitted). **(Continue to 7/24/23)**

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14. \*App. #2023-May-005 PETITION OF LOUIS FRANCHI, applicant, FAMS 69, LLC, owner, **69 Carroll Avenue**, TAP 41, Lot 211, (R-10 Zone) for a special use permit and dimensional variance to construct a one-story mudroom addition, increasing the lot coverage from 28% to 30.3% (20% permitted). **(Continue to 7/24/23)**
15. \*App. #2023-May-008 PETITION OF BRENT & VICTORIA GEORGE, applicants and owners, **448-450 Thames Street/3 Howard Street, Unit 2**, TAP 32, Lot 075-2, (LB Zone) for a special use permit to convert the existing residential unit into a guest house. **(Continue to 7/24/23)**
16. App. #2023-May-009 PETITION OF DANIEL J. HUGHES, applicant and owner, **169 Wellington Avenue**, TAP 42, Lot 002, (R-120 Zone; Historic Overlay) for dimensional variances to permit construction of an in-ground pool and a pickleball court located 13'-3 1/2" from the Chastellux Avenue front property line (75' required), increasing the lot coverage from 7.3% to 9.4% (8% permitted). **(Continue to 7/24/23)**
17. App. #2023-May-010 Corrected PETITION OF RED HOUSE MANAGEMENT, LLC, applicant and owner, **89 Thames Street**, TAP 17, Lot 236, (GB Zone) for a regulatory variance to provide the required four (4) parking spaces for a four-bedroom guest house on the neighboring property at 6 Marlborough Street (required parking must be provided on the subject property). **(Continue to 7/24/23)**
18. \*App. #2023-May-013 PETITION OF 52-56 THAMES STREET, LLC, applicant and owner, **52-56 Thames Street**, TAP 17, Lot 074, (GB Zone; Historic Overlay) for dimensional variances to convert an existing two-family residence to two guest houses with five bedrooms without providing additional parking (1 additional required), without providing the 24' access driveway, and requiring backing out into the right-of way, and a special use permit to construct a roof deck on a non-conforming property. **(Continue to 7/24/23)**
19. \*App. #2023-Jun-006 PETITION OF LAURA TREONZE, applicant and owner, **69 Third Street**, TAP 12, Lot 024, (R-10 Zone, Historic Overlay), for a special use permit and dimensional variances to remove a raised patio and side porch, and construct a new, detached 1 1/2-story garage, located 11" from south (side) property line (10' required), increasing the lot coverage from 30.7% to 35% (20% allowed). **(Continue to 7/24/23)**

### **X. Inactive Petitions & Appeals:**

1. **Appeals Awaiting Transcripts or Briefs:** None
2. **Petitions Pending Other Board Decisions (Continued Generally)**



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1. App #2022-Mar-15. PETITION OF JOHN & KATHLEEN TRENTOS, applicant and owner; **93 Second Street**, TAP 9, Lot 320, (R-10 zone); for a special use permit and a variance to the dimensional requirements for permission to demolish and construct a new single-family dwelling which will be located 3.5' from the north property line, (10' required), and construct a detached shed which will be located 2.6' from the south property line and 2.7' from the east property line, (10' required). Said proposal to increase the lot coverage from 17% to 35%, (20% allowed). **(Continue pending HDC Review)**
  2. App. #2022-Oct-11. PETITION OF COACH HOUSE CONDOMINIUM ASSOCIATION, applicant and owner; **103-121 Coggeshall Avenue**, TAP 37, Lot 100, (R-10A zone); for a special use permit and a variance to the dimensional requirements to allow a major subdivision to create a separate lot for Unit 10 with an existing dwelling located 9' from front property line (15' required). **(Pending Planning Board review)**
  3. App. #2023-Jun-010 PETITION OF PEREGRINE GROUP, LLC, applicant and owner, **50 Memorial Boulevard**, TAP 29, Lot 193, (R-10 Zone), for a special use permit and variances to demolish an existing, non-conforming medical building, and construct a multi-family development, consisting of four detached two-family townhouse structures, requiring a variance to the number of principal residential buildings per lot, and increasing the lot coverage from 16% to 21% (20% allowed). **(Pending Planning Board review)**
  4. App. #2023-Jun-013 PETITION OF MICHAEL AND DANETTE WALSH, applicants and owners, **125 Gibbs Avenue**, TAP 11, Lot 379, (R-10 Zone), for a dimensional variance to demolish an existing single-family dwelling, and construct a new single-family dwelling, with a lot coverage of 23.7% (20% allowed). **(Pending Planning Board review)**
3. **Other Inactive Petitions**
1. \*PETITION OF BP REALTY, LLC, applicant and owner; **Banisters Wharf**, DBA The Black Pearl, TAP 24, Lot 276, (WB zone); for a special use permit and variance to the dimensional requirements for permission to install a 14'2" by 7'6" retractable awning structure over the northern portion of the existing outdoor bar area which will be located 0' from the north property line (5' required).
  2. APPEAL OF MR. JASON PERKINS, appellant; NRI 12 GOODWIN ST PARTNERSHIP, owner; appealing the issuance of building permit #125985 applying to the property located at **12 Goodwin St.**, TAP 35, Lot 244, (WB zone).

## **XI. Adjournment**

Meeting Notice  
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**Please note:**

*Meetings begin promptly at the time posted and will not last for more than four (4) hours. The Board normally will take a short break after 1½ to 2 hours of hearings to re-access the agenda and their ability to reach the remaining items pending before it.*

*The Board will not entertain/begin a new petition after 10:00 p.m. and will conclude all hearings at 10:30 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.*

***Please send any inquiry to Nick Armour, Zoning Officer, at [narmour@cityofnewport.com](mailto:narmour@cityofnewport.com) or call (401) 845-5452***