

**City of Newport
Department of Planning and Economic Development
Staff Report to the Planning Board**

Demolition Approval

Meeting: October 5, 2020
Filed: August 26, 2020

Location: 154 Eustis Avenue
Applicant(s): Easton's Pond I, LLC
Owner(s): Heirs of Elizabeth C. McCarthy
Assessor's Plat: 23
Assessor's Lot(s): 148

Zoning District: R-10A

The Applicant is requesting Demolition Approval of the principal structure (a 1957 single-family home) to enable the construction of a new single-family home. The petition was reviewed by the Technical Review Committee (TRC) on September 9, 2020 in accordance with the *Planning Board Bylaws*. There were no significant comments from the TRC.

Planning Department Findings

The Planning Department makes the following general findings:

1. The subject property is identified as described above. The parcel is considered to be located within the Eustis / Easton's Pond Neighborhood (Comprehensive Land Use Plan, Map 5-7, Neighborhood Areas).
2. The project is under the jurisdiction of the Coastal Resources Management Council.
3. Although the house was constructed more than 50 years ago, it does not present significance. The property is not listed on the National Register of Historic Places. No nomination form has been completed for this area.
4. The pattern of development in the area is a mix of late nineteenth century estate, early twentieth century inner suburban, and late twentieth century suburban style development.

Standards of Review

From **17.86.020** of the *City of Newport Code of Ordinances*, “Prior to the issuance of a demolition permit for any principal structure, the planning board must approve any demolition of a principal structure.”

17.86.070 Review standards, required findings

The planning board will review all building demolition permit applications in accordance with this chapter and the ordinances of the city, together with the following standards:

- 1. The granting of a permit is not detrimental to the public health, safety, and general welfare of the community.*
- 2. The proposed demolition of the structure is consistent with the goals and policies of the Comprehensive Land Use Plan.*
- 3. The proposed demolition does not create land with constraints to development.*
- 4. The proposed demolition does no harm to the character of the immediate neighborhood or area of the city.*

1. Not detrimental to the public health, safety, and general welfare

The board should evaluate how the demolition might be detrimental to each qualifier, or not.

2. Consistent with the goals and policies of the Comprehensive Land Use Plan

A finding of fact that the proposed demolition is “consistent with the goals and purposes of the comprehensive plan” should consider the following provisions of the Comprehensive Plan:

Policy H-1.3 – The City shall continue to promote the repair, revitalization, or rehabilitation of residential structures and neighborhoods.

The Planning Board must weigh the conflicting effect of this policy on the removal of this structure and the effect of a new structure in revitalizing and/or rehabilitating the neighborhood.

Goal CFS-2 – To meet or exceed the State’s mandated solid waste recycling rate of 35%.

The application includes a satisfactory recycling plan for the solid waste produced by the demolition.

Goal HC-1 – To identify, protect, and enhance the City’s cultural and historical resources.

Staff does not recommend identifying this property as a cultural or historic resource based on available information.

Goal EN-1 – To make Newport a leader in energy conservation and renewable energy use.

The applicant has presented no information regarding energy conservation and renewable energy use during the course of the demolition.

3. Demolition does not create land with constraints to development

It does not appear the demolition will create land with constraints to development. The site does not have an underground storage tank registered with the Department of Environmental Management. Its longstanding residential use is unlikely to create soil contamination above state thresholds and does not require soil testing.

4. Demolition does no harm to the character of the immediate neighborhood or area of the city

The project is within the Eustis / Easton’s Pond neighborhood. A typical limit for an “area” is ¼ mile, aligned to prominent features (Old Beach Road to Ellery Road and Rhode Island Avenue to the reservoir). The neighborhood is “mainly” medium-density residential. The area is entirely medium-

density residential, with the exception of a vacant lot two lots south and the reservoir. It is unlikely the demolition will cause harm to the character of the immediate neighborhood or area of the city.

Planning Department Recommendations

Staff is pleased with the recycling plan, but concerned about the method of demolition (likely a diesel excavator). Staff recommends the Board discuss other demolition potential methods with the applicant to attempt to assign conditions of approval that alleviate this outstanding concern.