

City of Newport
 Department of Zoning and Inspections
 Planning Division
 43 Broadway, Newport RI 02840

Application Number: _____

Application Date: _____

Application Fee: _____

DEMOLITION PERMIT APPLICATION

Please provide the following information:

25 Waites Wharf	TAP: 32, Lot: 155
20 West Extension Street	TAP: 32, Lot: 267
1 Waites Wharf	TAP: 32, Lot: 268
16 Waites Wharf	TAP: 32, Lot: 248
23 Coddington Wharf	TAP: 32, Lot: 293

Property Address	Tax Assessor' Plat & Lot	
J. Russell Jackson, Esq. Miller Scott Holbrook & Jackson	122 Touro Street	Newport, RI 02840

Applicant/Owner's Representative Name	Address	City, State, Zip
jrjackson@millerscott.com	401-847-7500	401-225-5164

Email	Office Phone	Cell Phone
Harbour Realty, LLC (Lots: 155, 268)	39 Agar Street	Yonkers, NY 10701
Tomorl, LLC (Lot: 248)	39 Agar Street	Yonkers, NY 10701
20 West Extension, LLC (Lot: 267)	39 Agar Street	Yonkers, NY 10701
Thomas B. Abruzese (Lot: 293)	39 Agar Street	Yonkers, NY 10701

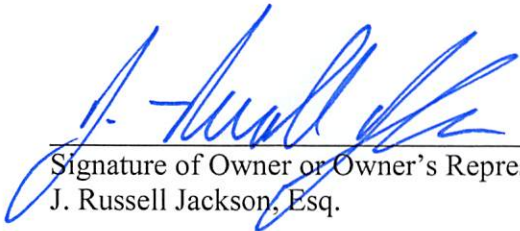
Owner's Name	Address	City, State, Zip
c/o J. Russell Jackson, Esq. jrjackson@millerscott.com	401-847-7500	401-225-5164

Email	Office Phone	Cell Phone
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Required Items for Demolition Permit

Demolition Permit Contents:

- X A. Non-Refundable fee to be submitted with the Building Demolition Permit application in accordance with the City of Newport Codified Ordinances Chapter 2.120, General Fee Schedule;
- X B. Demolition staging plan;
- X C. Site plan identifying all existing structures and all trees of diameter eighteen (18) inches or greater;
- X D. Photos of existing structure;
- X E. Plans and elevations for the proposed reuse of the property (for informational purposes only);
- N/A F. Site restoration plan and specifications (only applicable if commencement of construction of a new structure is not planned within sixty (60) days after completed demolition);
- X G. A brief narrative describing the nature of the demolition, including reason for demolition;
- X H. Independent certification of mitigating circumstances (i.e. professional documentation of mold, mildew, structural damage, etc. if available).



Signature of Owner or Owner's Representative
J. Russell Jackson, Esq.

7/31/19

Date

DEMOLITION PERMIT APPLICATION

In Re: Petition of Harbour Realty, LLC, et al, for permission to demolish the structures applying to the properties located at 1, 16 & 25 Waites Wharf, 20 West Extension Street and 23 Coddington Wharf, being TAP: 32, Lots: 268, 248, 155, 267, 293 (Waterfront Business Zone).

APPLICATION SUMMARY

The Applicants own a total of six (6) adjacent parcels on Waites Wharf, West Extension Street and Coddington Wharf. All of these lots are located in the Waterfront Business Zone. As part of this overall redevelopment project, the Applicant will be merging two (2) contiguous lots located to the north of the Waites Wharf right of way into a single "North Lot." The Applicant will also be merging four (4) contiguous lots located to the south of the Waites Wharf right of way into a single "South Lot." The resulting North Lot will be an 84,471 square foot conforming lot of record. The resulting South Lot will be a 53,322 square foot conforming lot of record.

The Applicant proposes to demolish the existing structures on both the merged North Lot (Existing Lots 155 & 267) and the merged South Lot (Existing Lots 268, 272, 248 & 293) and construct an upscale 150 room hotel. The hotel rooms, uses, amenities and parking will be distributed between the North and South Lots. The newly constructed hotel building on the North Lot will have 88 guest rooms and will also house the restaurant, banquet and wedding facilities. The new hotel building on the South Lot will have 62 guest rooms.

The existing inventory of structures can be described as follows:

The parcel located at 25 Waites Wharf (Lot 155) is currently occupied by single story ware house structure and operates as the Dockside/Riptides nightclub.

The parcel located at 16 Waites Wharf (Lot 248) is currently occupied by single story linear ware house/garage structure.

The parcel located at 20 West Extension Street (Lot 267) is currently occupied by single story irregular shaped ware house structure.

The parcel located at 1 Waites Wharf (Lot 268) is currently occupied by multiple single story buildings. The main building on this parcel operates as @ The Deck Restaurant with the other buildings providing storage and supporting services for the restaurant and marina operations.

The parcel located at 23 Coddington Wharf (Lot 293) is currently occupied by a small one and a half story single family residential cottage with detached garage.

The existing buildings described herein are all in fair to poor condition. They all lie within the velocity flood hazard zone, and as currently constructed and configured, lack sufficient structural integrity and are ill-suited for any substantial rehabilitation, modern expansion or reuse in a large scale site redevelopment.

None of the structures possess architectural or historical character, value or significance which would mitigate against demolition. The subject parcels are not in the Newport Historic District. Although this area is encompassed by the Department of Interior Southern Thames Street District, none of the structures described herein are identified as contributing structures. The demolition and removal of these existing buildings will have little or no impact on the immediate area. The Applicant will take all required, reasonable and necessary steps to mitigate the impact on the surrounding area during the demolition and construction process. The new hotel buildings will be consistent with the diverse architectural character of this area. The new buildings will conform to all applicable and modern development, flood zone and building code requirements.

The proposed redevelopment project will result in the construction of two new, architecturally appropriate hotel buildings. The proposed hotel use is allowed by special use permit in the Waterfront Business District. The new buildings will meet all the height, setback, and lot coverage requirements under the Zoning Ordinance and the State Zoning Enabling Act. The Applicant will be seeking a regulatory variance based on the number of proposed guest rooms. The Applicant's parking plan will satisfy the code requirements for the number of spaces based on the proposed uses on site, however relief will be needed relating to certain spaces which open directly onto the Waites Wharf right of way. The site can be accessed through West Extension Street, Waites Wharf and Coddington Wharf. In addition to seeking zoning relief, the project will be further vetted by going through the Newport Development Plan review process.

The Applicant engaged Sage Environmental and conducted a preliminary Asbestos Containing Materials (ACM) assessment. ACM was identified as existing in certain buildings. Asbestos abatement plans, as may be required, will be implemented prior to demolition. The Applicant will work with the Newport Building Official to make sure all environmental, storm water management and demolition staging issues have been adequately addressed prior to the issuance of a Demolition Permit.

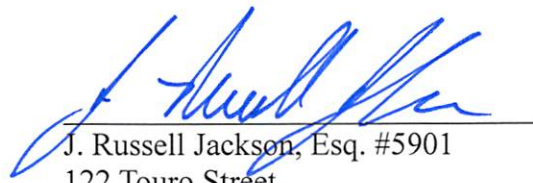
The Applicant engaged Ross Cann, RA, AIA NCARB of A4 Architecture & Planning to conduct a survey and assessment of the subject properties. Mr. Cann concluded that none of the structures proposed for removal have "true historic or architectural value that should prevent their demolition."

In addition to the assessment rendered by Mr. Cann, the Rhode Island Coastal Resources Management Council, as part of their Preliminary Determination process, referred this project to the Rhode Island Historical Preservation & Heritage Commission for review and comment. The Commission's conclusion was that "this project will have no effect on any significant cultural resources (those listed on or eligible for listing on the National Register of Historic Places)."

The plan proposed by the Applicant will not result in an appreciable decrease in available long term residential housing stock, nor will it do harm to the character or valuations of the immediate area. The proposed project is consistent with the Goals and Policies of the Newport Comprehensive Land Use Plan and will not create land with constraints to development.

The proposed project will meet all the review standards and required findings necessary for approval by the Planning Board for this Demolition Permit Application.

Applicants,
Harbour Realty, LLC, et al,
By Their Attorneys,
MILLER SCOTT
HOLBROOK & JACKSON



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STATE OF RHODE ISLAND
NEWPORT, Sc.

PLANNING BOARD
CITY OF NEWPORT

DEMOLITION PERMIT APPLICATION

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Preliminary Demolition Staging Plan

Demolition of the structures located on the above referenced subject parcels will be done in accordance with all applicable provisions of federal, state and municipal codified and regulatory requirements. The following is a Preliminary Demolition Staging Plan:

- The Applicant will develop a comprehensive demolition plan, along with naming a certified demolition contractor, detailing all of the required site control, safety, temporary storm water management and environmental measures required by the Newport Inspections Division for the issuance of a demolition permit, including, but not limited to the following anticipated measures:
 - Demolition activities to be conducted between the hours of 8:00am and 5:00pm;
 - Particulate control to be maintained throughout the demolition with a fine water spray mist;
 - Opaque safety fencing to be installed surrounding the perimeter of the demolition site;
 - Proof of the disconnection of all utilities, ;
 - Signage denoting the municipal and state approvals + permit numbers, project information, and contact information for general inquiries or emergencies;
 - Conformance with RI Sedimentation and Erosion Control Handbook and City of Newport 15.26 - Soil Erosion and Sediment Control including but not limited to: de-watering specifications, BMP'S, erosion control, construction entrances, tree protection devices, temporary traffic control and walkways, and environmental mitigation elements, as may be required.
- The Applicant will, in collaboration with its demolition contractor, prepare a final comprehensive demolition staging plan for submittal to the Newport Inspections Division as part of the demolition permit application.
- The Applicant intends to begin construction within 60 days of the completion of the demolition phase and after receipt of any regulatory approvals which may be required. Accordingly, there will be no restoration plan submitted with this application.