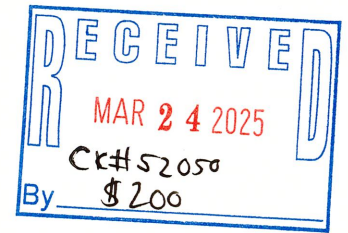




Sayer Regan & Thayer, LLP

ATTORNEYS AND COUNSELLORS AT LAW



March 24, 2025

Via Hand Delivery

Nicholas Armour ✓
Zoning Officer
City of Newport
43 Broadway
Newport, RI 02840

Jillian Chin
Preservation Planner
City of Newport
43 Broadway
Newport, RI 02840

Patricia Reynolds
Director of Planning and Economic Development
City of Newport
43 Broadway
Newport, RI 02840

Re: Petition of 181 Bellevue Center, LLC -Notice of Appeal

Dear Nick, Trish & Jill:

Enclosed herewith please find 181 Bellevue Center, LLC's Notice of Appeal of the Newport Historic District Commission's decision regarding the property at 181 Bellevue Avenue and identified as Lot 112-4 on Tax Assessor's Plat 28, said decision having been recorded today in Book 3243 at Page 13 of the Newport Land Evidence Records.

Sincerely,



Peter Brent Regan

PBR/lk
Enclosures

*In Re: PETITION OF 181 BELLEVUE CENTER, LLC
Application #2023-Oct-025
181 Bellevue Avenue, Plat 28, Lot 112-4 (Non-Contributing)*

NOTICE OF APPEAL

Now comes 181 Bellevue Center, LLC (“Appellant”), by and through its attorneys and pursuant to Section 17.116.010 of the Newport Zoning Code and R.I.G.L. § 45-24.1-9, and hereby appeals the decision of the Newport Historic District Commission (“HDC”) denying its Application for a Certificate of Appropriateness (the “Application”) regarding the property located at 181 Bellevue Avenue and identified as Lot 112-4 on Newport Tax Assessor’s Plat 28 (the “Property”). The Application was granted in part and denied in part at the HDC’s meeting held on January 15, 2025, and in its written decision recorded on March 24, 2025, in Book 3243 at Page 13 of the Newport Land Evidence Records. In support of its appeal, Appellant states that that portion of the HDC’s decision denying the Application was:

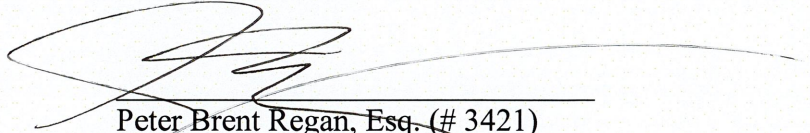
1. In violation of constitutional, statutory, or zoning code provisions;
2. In excess of the authority granted to the HDC by statute or zoning code;
3. Made upon unlawful procedure and based upon prejudicial procedural error;
4. Based on clear error;
5. Affected by other error of law;
6. Not supported by the weight of the evidence in the record;
7. Clearly erroneous in view of the reliable, probative, and substantial evidence of the whole record; and/or
8. Arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.

In accordance with Section 17.116.010 of the Newport Zoning Code, Appellant has attached the following Exhibits hereto: (a) copy of Newport Tax Assessor’s Plat 28; (b) a list of abutting property owners located within two hundred feet (200’) of the Property; and, (c) the name and address of any person who appeared before the HDC in opposition to the Application.

WHEREFORE, Appellant 181 Bellevue Center, LLC respectfully requests that the Zoning Board of Review sustain its appeal, and that the portion of the HDC's decision denying the Application be reversed.

181 Bellevue Center, LLC
By Its Attorneys:

Dated: March 24, 2025



Peter Brent Regan, Esq. (# 3421)
Michael Monti, Esq. (# 10095)
Sayer Regan & Thayer, LLP
130 Bellevue Avenue
Newport, RI 02840
(401)849-3040
pregan@srt-law.com
mmonti@srt-law.com

EXHIBIT "A" (Plat Map)

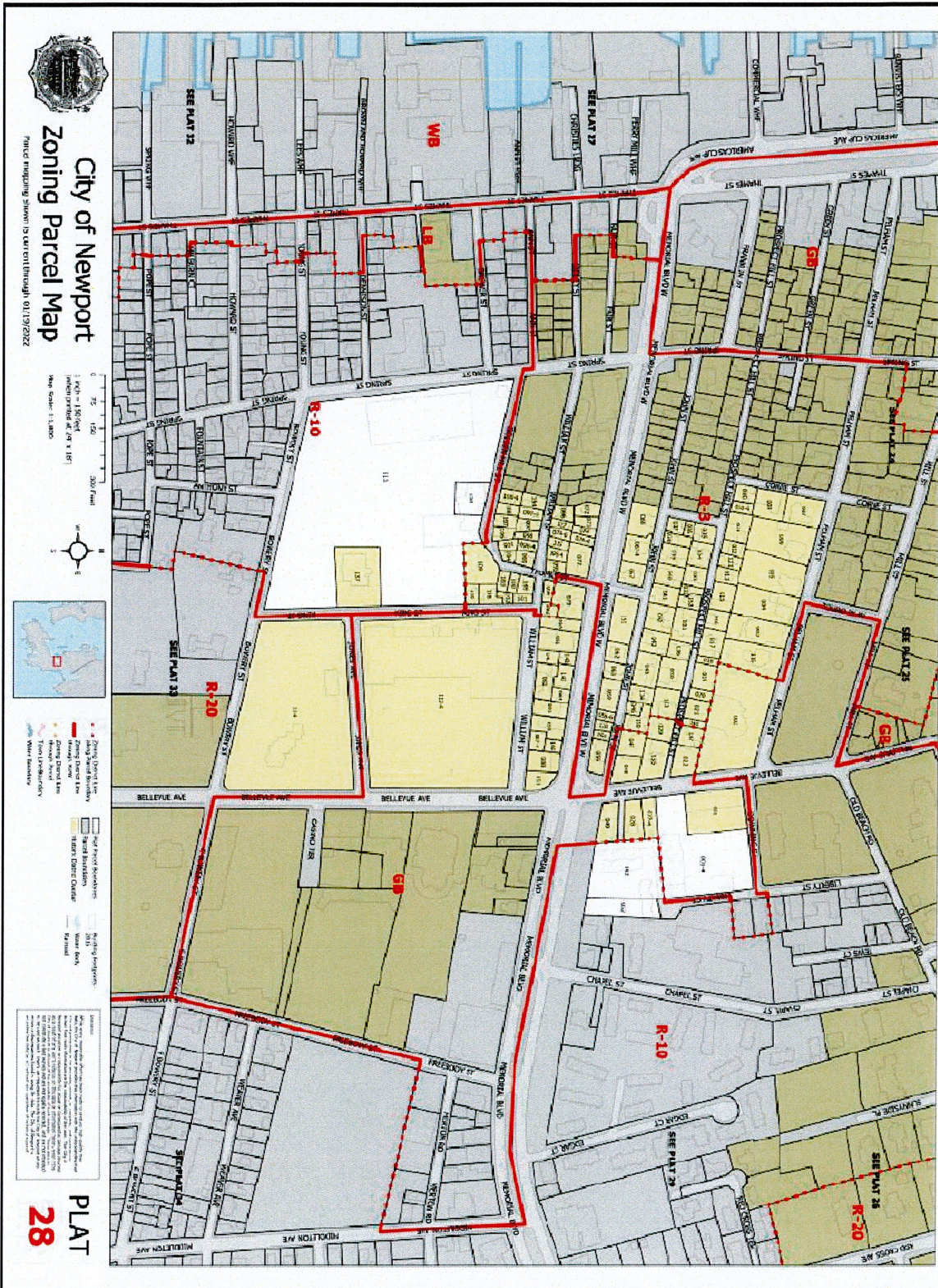


EXHIBIT "B"
(List of Abutters)

28-090
YOUNG RICHARD C
DEBORAH L
98 WILLIAM ST
NEWPORT, RI 02840

28-077
MATHER CHRISTOPHER
44-46 MEMORIAL BLVD W
NEWPORT, RI 02840

28-079
CHRISTOPHER YOUNG LLC
38 MEMORIAL BLVD WEST
NEWPORT, RI 02840

28-080
FITZ-SAR LLC
30 MEMORIAL BLVD
PORTSMOUTH, RI 02871

28-081
WILLIAM STREET PROPERTIES LLC
78 WILLIAM ST
NEWPORT, RI 02840

28-084
DAVIS STEPHEN C
8 VINCENT RD
NEWPORT, RI 02840

28-087-4
WILLIAM STREET PARTNERS LLC
174 BELLEVUE AVE, Unit 200
CHARLESTOWN, RI 02813

28-088
WILLIAM STREET PARTNERS LLC
174 BELLEVUE AVE, Unit 200
NEW YORK, NY 10017

28-091
HEYDT ROSEMARY B DECLARATION O
F TRUST
70 PELHAM ST
Newport, RI 02840

28-092
NEWPORT RESTORATION FOUNDATION
680 BELLEVUE AVENUE
WYNDMOOR, PA 19038

28-094
NEWPORT RESTORATION FOUNDATION
680 BELLEVUE AVENUE
NEWPORT, RI 02840

28-095
RICE JOHN M
81 HUMMOCK AVE
Newport, RI 02840

28-095-4
DUMPSON KIMBERLY C
36 MEADOW BROOK DR
WEST HARTFORD, CT 06107

28-098-4
LEVEILLE TERESA MAE
51 WILLIAM ST
NEWPORT, RI 02840

28-099
OKEEFE BRIAN AND KATHRYN MARY
IRRE TRUST
29 THOMAS ST
BELCHERTOWN, MA 01007

28-100
TIERNEY RAYMOND F
SUSAN M
30 THOMAS STREET
NEWPORT, RI 02840

28-101
KNERR J DANIEL
LISA P
65 WILLIAM STREET
CAPE CORAL, FL 33914

28-102
PHILLIPS STEPHEN J &
OBRYAN SHARON A
26 WILLOW POND DR
Newport, RI 02840

28-103
SCHREIBER ARTHUR
AIELLO LENA
25 TEXTBOOK AVE
Newport, RI 02840

28-104
CARTWRIGHT MICHELLE L &
MOSHER TODD D
31 THOMAS ST
Newport, RI 02840

28-105
CARTWRIGHT MICHELLE L &
MOSHER TODD D
31 THOMAS ST
NEWPORT, RI 02840

28-109
NEWPORT CITY OF
CITY HALL 43 BROADWAY
NEWPORT, RI 02840

28-113
NEWPORT CITY OF
CITY HALL 43 BROADWAY
NEWPORT, RI 02840

28-114
PRESERVATION SOCIETY OF
NEWPORT COUNTY
424 BELLEVUE AVE
NEWPORT, RI 02840

28-137
NEWPORT CITY OF
CITY HALL 43 BROADWAY
Newport, RI 02840

28-139
KATHERINE E IRVING 1994 TRUST
WOOTEN JULIA AKA
223 CARROLL AVE
NEWPORT, RI 02840

28-140
FITZ-SAR LLC
30 MEMORIAL BLVD W
Newport, RI 02840

28-141
WHITNEYS WILLIAM PROP LLC
PO BOX 1348
NEWPORT, RI 02840

28-143
LD PROPERTIES LLC
PO BOX 928590
NEWPORT, RI 02840

28-144
8 MEMORIAL BLVD LLC
8 MEMORIAL BLVD
NEWPORT, RI 02840

28-148
HOWE LAUREL GASTALL
357 FROGTOWN RD
ROCHESTER, MA 02770

28-149
FEINEN RICHARD J
FEINEN KRISTINA A
26 THOMAS ST
NEWPORT, RI 02840

28-151
STATE OF RHODE ISLAND &
PROVIDENCE PLANTATIONS
SMITH ST
SOMERVILLE, MA 02144

29-050
BAZARSKY DAVID G REVOCABLE TR
BAZARSKY CAROL R REVOCABLE TRU
POLO CENTER 678 AQUIDNECK AVE
NEWPORT, RI 02840

29-051
TRAVERS ASSOCIATES LTD PART
C/O PRIVATE PROPERTIES
174 BELLEVUE AVE SUITE 200
NEWPORT, RI 02840

29-052
INTERNATIONAL TENNIS HALL OF F
AME INC
186-202 BELLEVUE AVE
EAST GREENWICH, RI 02818

29-057
MICHAEL J HAYES TRUST
MARY J HAYES TRUST
61 RUGGLES AVE
NEWPORT, RI 02840

29-057
TAFF LLC
30 HAMMERSMITH ROAD
Newport, RI 02840

29-057
GROSVENOR RICHARD C &
GROSVENOR, TERRY TAFFINDER
128 CARROLL AVE
NEWPORT, RI 02840

29-057
HARRINGTON JEREMIAH L
PO BOX 98
NEWPORT, RI 02840

29-057
VAREIKA WILLIAM M
KING BLDG CONDO UNIT 5
212 BELLEVUE AVE
OVIEDO, FL 32765

29-057
DVE 2 LLC
66 E 11TH ST APT 6
NEWPORT, RI 02840

29-177
INTERNATIONAL TENNIS HALL OF F
AME INC
5 MEMORIAL BLVD
Newport, RI 02840

29-184
CASINO TERRACE NEWPORT LLC
1140 RESERVOIR AVE
WAYLAND, MA 01778

29-208
LDRE PROPERTIES, LLC
41 OCEAN RD
Newport, RI 02840

33-045
AR RIBELAV001 LLC
38 WASHINGTON SQ
NEWPORT, RI 02840

33-057
BELLEVUE PLAZA LLC
POLO CENTER 678 AQUIDNECK AVE
NEWPORT, RI 02840

33-065
CASINO TERRACE NEWPORT LLC
1140 RESERVOIR AVE
SOUTHBOROUGH, MA 01772

28-082
HEYDT WILLIAM R 2017 DECLARATI
ON OF TRST
70 PELHAM STREET
MIDDLETOWN, RI 02842

EXHIBIT "C"
(List of Objectors)

The name and address of any person(s) who appeared before the HDC in opposition to the Application is as follows:

1. Melvin F. Hill, III, 8 Atlantic Avenue, Newport, RI 02840