

Minutes of the
Newport Zoning Board of Review

A Special meeting of the Zoning Board of Review was held on Monday, March 31, 2025, in the City Hall Council Chambers, 43 Broadway at 6:00 p.m.

PRESENT: Wick Rudd, Chair
David Riley, Vice Chair
Bart Grimes, Acting Secretary
Nicole Shevory
Melissa Pattavina (Alternate)

Nicholas Armour, Zoning Officer
Dylan Conley, Assistant City Solicitor
Zachary Cabrera, Assistant Planner

ABSENT: Russell Johnson, Secretary

D E C I S I O N S

*Amended App. #2023-Jun-012 PETITION OF C.C.B. CAPITAL & REAL ESTATE INC., applicant, 144 THAMES STREET, LLC, owner, 144-150 Thames Street, TAP 24, Lot 045, (GB Zone) for dimensional variances to construct a new mixed-use building, containing 14 Vacation Guest Facility units (11 permitted), providing 17 parking spaces (48 spaces required).

The applicant was present. Objecting attorneys Jeffrey Gladstone, Christine Deiter, and Samuel Eckel were present. Attorney Russell Jackson was present and represented the application. The owner of the property, Christopher Bishow was present.

Mr. Jackson explained the project, and recapped testimony from the February 10, 2025 special meeting provided by expert witnesses Jay Groves (project architect), Lorenzo Dantes (traffic expert), and Doug McLean (land use expert). Mr. Jackson explained the “further amended” application needed two loading zone spaces. Mr. Jackson also discussed the proposed off-site parking lot located at 364-366 Thames Street.

Mr. Jackson called his first witness for testimony, the property owner, Christopher Bishow. Mr. Bishow reiterated his testimony from the February 10, 2025 special meeting and answered questions from the Board regarding the proposed site for off-site parking and the proposed loading zones. Mr. Gladstone, Ms. Deiter, and Mr. Eckel each cross-examined Mr. Bishow.

Mr. Jackson called his second witness for testimony, land use expert Doug McLean. Mr. McLean reiterated his testimony from the February 10, 2025 special meeting and answered questions from the Board. Ralph Plumb, also an owner of the subject property – 144-150 Thames Street – was invited by the board to testify and discussed other proposals that have been considered for the subject property.

Prior to the objecting attorneys' presentations, Assistant City Solicitor Dylan Conley explained the dimensional variance and the difference between profitability and economic viability. The board discussed the ordering of objector presentations and determined the order as follows: Ms. Deiter to present first, Mr. Eckel to present second, and Mr. Gladstone to present third.

Ms. Deiter testified first, representing the Clark School Apartment Complex. Ms. Deiter presented her client's objections to the project and answered questions from the Board. Ms. Deiter called her first witness for testimony, land use expert Emily Buck. Prior to Ms. Buck's testimony, Ms. Deiter submitted Objector's Exhibit 1, Ms. Buck's CV. Ms. Buck presented her findings and answered questions from the Board. Following Ms. Buck's testimony, Mr. Jackson cross-examined Ms. Buck. Ms. Deiter objected to Mr. Jackson's cross-examination, which was dismissed by Mr. Rudd.

Ms. Deiter called her second witness for testimony, Betsy Green, manager of the Clark School Apartment Complex. Ms. Green presented her objections and answered questions from the Board. Following Ms. Green's testimony, Mr. Jackson cross-examined Ms. Green. Ms. Deiter objected to Mr. Jackson's cross-examination, which was dismissed by Mr. Rudd.

Mr. Eckel testified next, representing independent objectors. Mr. Eckel presented his clients' objections, discussed the impact of construction and demolition on surrounding property owners, and answered questions from the Board.

Mr. Gladstone testified next, inviting his witness for testimony, real estate expert William Coyle III. Mr. Coyle presented his findings and answered questions from the Board. Following Mr. Coyle's testimony, Mr. Jackson cross-examined Mr. Coyle.

Following Mr. Gladstone's testimony, abutting objectors were welcomed to speak. David Rawls, an abutting objector presented his objections and responded to questions from the Board. Blanch Lagle, a renter from the Clark School presented their objections and responded to questions from the Board. Another objector from Mary Street presented their findings and responded to questions from the Board.

Ms. Shevory discussed her desire to refer Clark School traffic issues with the Mary Street parking lot to the Interdepartmental Traffic Committee (ITC).

Following the motion, Mr. Jackson made his closing argument. Mr. Gladstone followed with his closing argument, and Ms. Deiter made closing arguments after Mr. Gladstone. After Ms. Deiter's closing arguments, the Board closed public testimony.

Mr. Riley read in conditions of approval determined by the Board throughout the meeting as follows:

1. The subject property is required to provide 19 additional parking spaces that would be available for units on the subject property within a half-mile of the subject property, and is required to provide a parking lease for the 19 additional off-site parking spaces to the Zoning Officer for yearly approval.
2. The applicant should make parking available for surrounding vendors and contractors during construction.
3. The project architect (Jay Groves) will address ADA parking spaces.
4. Pedestrian access from front to back of the subject property will be made ADA accessible to the furthest extent possible.

5. Formal request from the Board for review of cycling, pedestrian, and vehicular traffic between the Touro Street parking lot and the Clark School parking lots by the ITC.

Assistant City Solicitor Dylan Conley explained his suggestion to the Board that there be three separate motions, one for each of the three variances sought by the applicants; one motion for the density variance, one motion for the parking variance, and one motion for the loading zone variance.

Mr. Riley made a motion to adopt as the Board's findings of fact, the information in the staff report, application, and other documents and on the conditions stated above for the first variance to the density requirements, that adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 24 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion passed 4-1 with Ms. Pattavina voting to deny. Staff to write the draft decision.

Mr. Riley made a second motion to adopt as the Board's findings of fact, the information in the staff report, application, and other documents and on the conditions stated above for the second variance to the parking requirements, that adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 24 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion was unanimously approved. Staff to write the draft decision.

Mr. Riley made a third motion to adopt as the Board's findings of fact, the information in the staff report, application, and other documents and on the conditions stated above for the third variance to the loading zone requirements, that adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 24 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The board discussed the petition and a roll call vote was taken. The motion was unanimously approved. Staff to write the draft decision.

Meeting was adjourned at 10:48 pm.