

Minutes of the
Newport Zoning Board of Review

A special meeting of the Zoning Board of Review was held on Thursday, October 13, 2022, in the Council Chambers, City Hall, 43 Broadway at 6:00 p.m.

PRESENT: Sam Goldblatt, Chair
Russell Johnson, Secretary
David Riley
Bart Grimes
Nicole Shevory

Patricia Reynolds, Director, Planning and Economic Development

ABSENT: Wick Rudd, Vice-Chair
Susan Perkins
Girard Galvin

D E C I S I O N S

*PETITION OF SALVE REGINA UNIVERSITY, applicant and owner; for a special use permit and approval of the Development Plan for permission to construct a 214-bed dormitory with a staff dwelling unit applying to the properties located at 23, 45, & 51 Shephard Ave. and 26 Lawrence Ave., 74 & 80 Victoria Ave., TAP 36, Lots 36, 96, 98, 102, 103 & 104, (R-60 zone).

Due to lack of quorum, the Petition was continued to October 24, 2022 for scheduling purposes.

*PETITION OF SALVE REGINA UNIVERSITY, applicant and owner; for a special use permit and approval of the Development Plan for permission to construct a 196-bed dormitory with a staff dwelling unit applying to the properties located at 204, 206 & 218 Ruggles Ave. and Lawrence Ave., TAP 36, Lots 48, 49, 89, 111 & 126, (R-60 zone).

Due to lack of quorum, the Petition was continued to November 24, 2022 for scheduling purposes.

PETITION OF ALEXANDER DONLAN, applicant; ELLINOR WALTERS, owner; for a special use permit and a variance to the dimensional requirements for permission for permission to construct a 61.7 sq. ft entry addition and a 175 sq. ft. deck addition which will be located 3' from the east property line, (10' required), and which will increase the lot coverage from 25% to 32%, (20% allowed), applying to the property located at **7 Malbone Road, TAP 10, Lot 5-4, (R-10 zone).

The applicant was unable to attend. The Petition was continued to October 24, 2022 meeting to resolve a Board member questions.

A motion to adopt the staff reports, plans and applications as the Board's findings of fact on items listed below on the Consent Summary section of the agenda was made by Mr. Johnson, seconded by Ms. Shevory. The motion was unanimously approved.

A motion to approve the PETITION OF RICHARD HART, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to add a 2-story garage addition to the existing house which will be located 5' from the south property line, (10' required), and which will increase the lot coverage from 20% to 30%, (20% allowed), applying to the property located at **31 Prescott Hall Rd.**, TAP 9, Lot 313, (R-10 zone).

The applicant was present and represented by Attorney Thomas Orr. James Houle, Real Estate expert also present on behalf of the Petition. There was no one present in opposition to the Petition. A motion to approve the Petition was made by Mr. Johnson and seconded by Ms. Shevory. The motion was unanimously approved with the conditions that the project be started and substantially completed within (18) eighteen months from the date of decision, there shall be no effort to enclose or add a flat roof for occupation without further review and approval from the Board, and all invoices due to the City be paid prior to recording the decision. Attorney Thomas Orr agreed to prepare the decision for the Board's signature.

PETITION OF DAVID & LUCINE MOLLER, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structure and construct a new single-family dwelling which will be located 35' from the east property line and 39' from the south property line, (50' required), and which will increase the lot coverage from 9% to 13%, (10% allowed), applying to the property located at **17 Commonwealth Ave.**, TAP 44, Lot 42, (R-40A zone).

The applicants were present and represented by Attorney J. Russell Jackson. James Houle, Real Estate expert was also present on behalf of the Petition. Mr. Houle's written report was submitted and accepted by the Board as Exhibit 1. Christopher Pernice, Architect, presented the designs. There was no one present in opposition to the Petition. A motion to approve the Petition was made by Mr. Johnson and seconded by Ms. Shevory. The motion was unanimously approved with the conditions that the project be started and substantially completed within (18) eighteen months from the date of decision, and all invoices due to the City be paid prior to recording the decision. Attorney Jackson agreed to prepare the decision for the Board's signature.

PETITION OF RYAN LEMOIE, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to install a single car off-street parking space which will require the use of the right of way to maneuver, (use of right of way not allowed), applying to the property located at **35 Elm St.**, TAP 16, Lot 31, (R-10 zone).

Ryan Lemoie, the current owner and applicant, represented the Petition. A motion to approve the Petition was made by Mr. Johnson and seconded by Ms. Shevory. The motion was unanimously denied with the Board finding that the applicant did not prove hardship, the existing parking regulations recognize the constraints of the historic street grid system, the dwelling is a multifamily and did not meet the minimum requirements for a multifamily.

PETITION OF TED FISCHER, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to relocate existing detached garage and attach to the main residence on its eastern elevation and extend the main residence's southern elevation which will be located 23.5' from the east property line, (75' required). The new dwelling will be located 47.9' from the west property line, (50' required). Said proposal will increase the lot coverage from 9.8% to 10.2%, (8 % allowed) and will have a height of 36.5', (35' allowed), applying to the property located at **1 Ocean Heights Rd.**, TAP 41, Lot 334, (R-120 zone).

Attorney Turner Scott was present to represent the Applicant. He asked to have the record reflect the applicant's full name, Edmond J. Fisher and Amanda Fisher, who were present at the meeting. David Lachi, the project architect was also present. There was no one present in opposition to the Petition. A motion to approve the Petition was made by Mr. Johnson and seconded by Ms. Shevory. The motion was unanimously approved with the conditions that the project be started and substantially completed within (18) eighteen months from the date of decision, and all invoices due to the City be paid prior to recording the decision. Attorney Jackson agreed to prepare the decision for the Board's signature.

*PETITION OF JAMES ALLAN EGAN, applicant and owner; for a special use permit and a variance to the off-street parking requirements for permission to maintain a 290 sq. ft. museum use and provide 0 additional off-street parking spaces, (10 additional off-street parking spaces required), applying to the property located at **152 Mill St.**, TAP 25, Lot 131, (GB zone).

This Petition was continued to the October 24 meeting in order to provide notice to a registered abutter.

*PETITION OF ERIC BELL, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct an 8'x26' front porch and stairway which will increase the lot coverage from 26% to 34% (20% allowed), located at 5' from both side property lines (10' required), applying to the property located at **12 Dartmouth Street**, TAP 10, Lot 142. (R-10 zone)

Mr. Eric Bell was present to represent the Petition. He testified that he had resolved the issue with the abutter and provided an email as evidence. A motion to approve the Petition was made by Mr. Johnson and seconded by Ms. Shevory. The motion was unanimously approved with the conditions there shall be no effort to enclose the porch for occupation without further review and approval from the Board, that the project be started and substantially completed within (18) eighteen months from the date of decision, and all invoices due to the City be paid prior to recording the decision

PETITION OF JAMES CROCKFORD, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to demolish and rebuild a new single-family dwelling which will be located 28' from the east property line, (100' required), 30' from the south property line, (50' required), and which will increase the lot coverage from 5% to 13%, (6% allowed), applying to the property located at **33 Brenton Rd.**, TAP 41, Lot 241, (R-160 zone).

Mr. James Crockford, property owner and applicant, was present to represent the Petition. There was no one present in opposition to the Petition. A motion to approve the Petition was made by Mr. Johnson and seconded by Ms. Shevory. The motion was unanimously approved with the following conditions, that the detached garage will not be rented, that the project be started and substantially completed within (18) eighteen months from the date of decision, and all invoices due to the City be paid prior to recording the decision.

The meeting was adjourned at 8:10pm