

Revised
4/20/21

*Telephone Access is available Toll Free by dialing: 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free)
<https://us02web.zoom.us/j/84457330375> Meeting ID: 844 5733 0375 Passcode: 1639

NEWPORT ZONING BOARD OF REVIEW

MONDAY, APRIL 26, 2021 – 6:30 P.M.

THE MEETING WILL BE HELD REMOTELY IN COMPLIANCE WITH GOVERNOR MCKEE’S EXECUTIVE ORDER 21-21. (b) “SUCH MEANS MAY INCLUDE, WITHOUT LIMITATION, PROVIDING PUBLIC ACCESS THROUGH TELEPHONE, INTERNET, OR SATELLITE ENABLED AUDIO OR VIDEO CONFERENCING OR ANY OTHER TECHNOLOGY THAT ENABLES THE PUBLIC TO CLEARLY FOLLOW THE PROCEEDINGS OF THE PUBLIC BODY WHILE THOSE ACTIVITIES ARE OCCURRING”.

The Zoning Board of Review will meet via the Zoom Platform. Public participation will also be available through remote means

AGENDA

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes:

March 22, 2021

IV. Communications:

Decision Memorandum from the Planning Board dated April 16, 2021 Re: PETITION OF EDWARD McCARNEY, JR., 18 Keeher Avenue

Decision Memorandum from the Planning Board dated April 16, 2021 Re: PETITION OF ERIC PICARD, 37 Powell Avenue

Decision Memorandum from the Planning Board dated April 16, 2021 Re: PETITION OF DONALD OCCASO, 292 Broadway

Action Items:

Request for Extension of Approval

Decisions (Receive, review, and sign)

VI. Continued Petitions

1. PETITION OF SALVE REGINA UNIVERSITY, applicant and owner; for a special use permit 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). **(Set new special meeting date)**
2. PETITION OF SALVE REGINA UNIVERSITY, applicant and owner; for a special use permit 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). **(Set new special meeting date)**
3. PETITION OF HARBOUR REALTY, LLC, applicant; HARBOUR REALTY, LLC., TOMORL, LLC., 20 WEST EXTENSION, LLC., WAITES WHARF REALTY ASSOCIATION, LLC., AND THOMAS B. ABRUZESE, owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structures and construct a 150-room transient guest facility, (91 rooms allowed), with a standard restaurant, banquet and wedding facilities, and provide 266 off-street parking spaces on a noncontiguous lot, (all off-street parking must be on the same lot as the use required), and to allow of use of public right of way to maneuver into and out of spaces, (Use of public right of way not allowed), applying to the property located on 0, 1, 16 & 25 Waite's Wharf, 23 Coddington Wharf, and 20 West Extension St., TAP 32, Lots 155, 267, 268, 272, 248, & 293, (WB zone). **(Continued to May 24, 2021 pending Planning Board review and comment)**
4. PETITION OF ISLAND MOVING COMPANY, applicant; CITY OF NEWPORT, owner; for a special use permit and a variance to the off-street parking design standards for permission to demolish the former administration building and construct a new dance studio, (school of limited instruction), and provide off-street parking which will be located 5' from the south property line, (10' required), applying to the property located at 435 Broadway, TAP 6, Lot 11, (R-10 zone). **(Continued to May 11, 2021)**
5. PETITION OF ISLAND MOVING COMPANY, applicant; CITY OF NEWPORT, owner; for a variance to the dimensional requirements for permission to demolish the former school building and subdivide the property into 5 parcels. Parcel B to be 9, 58 sq. ft., parcel C to be 9,124 sq. ft. and parcel D to be 9,003 sq. ft., (10,000 sq. ft. required). Lot width/frontage of parcels A, B & C, to be 14.66' and lot width/front of parcel D to be 41.07', (80' required), applying to the property located at 435 Broadway, TAP 6, Lot 11, (R-10 zone). **(Continued to May 11, 2021)**
6. PETITION OF WELOVENEWPORT, LLC, applicant and owner; for a variance to the dimensional requirements for permission to demolish the existing structure and construct a new 2-1/2 story, 18,000 sq. ft. single-family dwelling. Said dwelling to be located, 30' from the west property line, (50' required), and 50' from the east property line, (75' required). Total lot coverage of property to be increase from 8% to 13%, (8% allowed), applying to the property located at 1 Harborview Dr., TAP 42, Lot 10, (R-120 zone). **(Set new special meeting date)**

7. APPEAL OF WELOVENEWPORT, LLC, appellant, CLAYTON DEUTSCH, owner; appealing the decision of the zoning officer's approval of Building Permit 123863 applying to the property at 2 Harbor View Dr., TAP 42, Lot 39, (R-120 zone). **(Set new special meeting date)**
8. PETITION OF BP REALTY, LLC, applicant and owner for a special use permit and variance to the dimensional requirements for permission to install a 14'2" by 7'6" retractable awning structure over the northern portion of the existing outdoor bar area which will be located 0' from the north property line, (5' required), applying to the property located at Banisters Wharf, DBA The Black Pearl, TAP 24, Lot 276, (WB zone).
9. APPEAL OF MR. JASON PERKINS, appellant; NRI 12 GOODWIN ST PARTNERSHIP, owner; appealing the issuance of building permit #125985 applying to the property located at 12 Goodwin St., TAP 35, Lot 244, (WB zone). **(Continued to May 24, 2021)**
10. Amended PETITION OF JUAN & ALBA CAMPOS, applicants and owners; for special use permit and a variance to the dimensional and off-street parking design requirements for permission to demolish the existing garage and constructing a 2-story, 3rd dwelling unit addition, which will be located 10.5' from the east property line, (15' required), and to provide off-street parking with less than a 20' aisle and less than 90 degree parking spaces, applying to the property located at 132 Evarts St., TAP 10, Lot 203, (R-10 zone).
11. Amended PETITION OF SEAN & JESSICA QUIRK, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a rear deck and stair addition, ~~a 36' x 16' inground pool and convert the existing non-conforming garage into storage, a pool house and a bathroom.~~ Said additions will increase the lot coverage from 19% to ~~29%~~ 22%, (20% allowed), applying to the property located at 122 Ruggles Ave., TAP 40, Lot 346, (R-10A zone)
12. APPEAL OF TIMOTHY & MAUREEN WEST, appellants and owners; appealing the decision of the Historic District Commission denying permission to replace a slate roof with an asphalt roof and remove existing dormers, applying to the property located at 45 Everett St., TAP 22, Lot 17, (R-10 zone).
13. PETITION OF KEVIN & PATRICIA MEEHAN, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct 3 new building each with 4 dwelling units and renovate the existing from 2 dwelling unit building, and convert the existing carriage house into a single dwelling for a total of 15 dwelling units, (one principle use per lot allowed), which will increase the lot coverage from 9% to 28%, (20% allowed), applying to the property located at 15 & 17 Sylvan St., TAP 33, Lot 36, (R-10 zone). **(Continued to May 24, 2021 pending Planning Board review and comment)**
14. PETITION OF JEFFREY LIPSHIRES, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 1½-story addition and a second floor dormer addition to the existing detached garage which will be located 2.5' from the south and west property lines, (10' required), which will increase the lot coverage from 19% to 23%, (20% allowed), applying to the property located at 45 Kay St., TAP 22, Lot 104, (R-10 zone).

15. ~~PETITION OF JOHN GULLISON, applicant; 2-4 LEDYARD PARTNERSHIP, owner; for a special use permit and a variance to the dimensional requirements for permission to construct a rear 2nd floor dormer which will be located 5.75' from the north property line, (20' required), applying to the property located at 2-4 Ledyard St., TAP 6, Lot 197, (R-10 zone). (Approved 4/19/21)~~
16. ~~PETITION OF MARK & JANE ORAVEC, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 10' x 18' pool with related equipment which will increase the lot coverage from 40% to 47%, (40% allowed), applying to the property located at 9 Lee's Whf., TAP 32, Lot 253, (WB zone). (Approved 4/19/21)~~
17. PETITION OF DENNIS & KATHY TIGHE, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to remove the existing and construct a new 2½ detached dwelling/garage unit which will be located 5' from the south property line, (10' required), applying to the property located at 33 Merton Rd., TAP 29, Lot 157, (R-10 zone).
18. PETITION OF DONALD TOFIAS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 1-story, 19.5' x 27.33' greenhouse addition which will increase the lot coverage from 18% to 20%, (10% allowed), applying to the property located at 79-83 Dixon St., TAP 35, Lot 282, (R-60 zone).
19. PETITION OF MICHAEL ROBINSON & ORLANDO ZAMBRANO, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to place 2 air conditioner condensers 2' from the south and west property lines, (10' required), applying to the property located at 41 Hunter Ave., TAP, 23, Lot 108, (R-10A zone).
20. PETITION OF ERIC PICARD, applicant and owner; for a special use permit and variance to the off-street parking requirements for permission to convert one of two existing dwelling units and a professional office into a 5-bedroom guest house and provide 5 off-street parking spaces, (7 off-street parking spaces required), applying to the property located at 37 Powell Ave., TAP 11, Lot 56, (R-10 zone).
21. PETITION OF EDWARD McCARTHY, JR., applicant and owner; for a special use permit to convert the existing single-family dwelling into a two-family dwelling applying to the property located at 18 Keeher Ave., TAP 11, Lot 262, (R-10A zone).
22. PETITION OF DONALD OCCASO, applicant and owner; for a use variance for permission to convert the existing building from 2 dwelling units and a professional office into 3 dwelling units, (3 dwelling units not allowed), applying to the property located at 292 Broadway, TAP 14, Lot 23-4, (R-10 zone).
23. PETITION OF ANDREW & AVANI McHUGH, 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 3-story dwelling which will be located 7' from the east property line and 7.5' from the west property line, (10' required), 5' from the south property line, (20' required), and which will have a lot coverage 40%, (20% allowed), applying to the property located at 2 Wheatland Ct., TAP 37 Lot 36-4, (R-10A zone).

24. APPEAL OF KEVIN RINALDI-YOUNG, appellant and owner; appealing the decision of the Historic District Commission denial of elevate the existing structure to provide a garage at grade and making other changes to the building, applying to the property located at 5 Russo Ct., TAP 21, Lot 160, (R-3 zone).
25. APPEAL OF DAVID ELWELL, appellant and owner; appealing the decision of the Historic District Commission denial of an application for the construction of a 23' x 26' attached garage, modification of the existing main entrance, the repairing and relocating of various windows and exterior doors, the restoration and repair of an existing slate roof, and the replacement of sidewall shingles, applying to the property located at 96 Harrison Ave., TAP 41, Lot 10.5, (R-40 zone).

VII. New Petitions:

26. PETITION OF DANIEL MCGREGOR, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 14' x 20' living room addition which will increase the lot coverage from 20% to 24%, (20% allowed), applying to the property located at 4 Cliff Ave., TAP 31, Lot 75, (R-10 zone).
27. PETITION OF LUKE FLEURY, applicant and owner; for a special use permit to construct a 111, sq. ft., 1st floor deck applying to the property located at 41 John St., TAP 27, Lot 93, (R-3 zone).
28. PETITION OF SCOTT & JULIE WOOLHOUSE, applicants and owners; for a special use permit and variance to the dimensional requirements for permission to replace an 8' x 14' shed with a 10' x 14' shed which will be located 2' from the north and east property lines, (10' required), applying to the property located at 7 Homer St., TAP 9, Lot 22.4, (R-10 zone).
29. PETITION OF MICHAEL & MELISSA DANKS, applicants and owners; for a variance to the dimensional requirements for permission to place a 10' x 14' shed 3' from the west property line, (10' required), applying to the property located at 22 Shields St., TAP 40, Lot 467, (R-10A zone).
30. PETITION OF MELISSA KIRDZIK, for a special use permit for permission to convert the 2nd dwelling unit into a 1-bedroom guesthouse use applying to the property located at 8 Johnson Ct., TAP 18, Lot 22, (R-10 zone).
31. PETITION OF KURT WEAVER, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to renovate the existing non-conforming dwelling which is located 0' from the north property line and 4.5' from the south property line, (10' required), by adding a second-floor addition and an extension to the dwelling. In addition, permission to add a 9' x 12.5' shed which will be located 3' from the west and south property lines (10' required) and 2 air conditioner condensers which will be located 3.90' from the north property line and 3' from the west property line, (10' required). Lot coverage of proposed renovations will increase from 40% to 46%, (20% allowed), applying to the property located at 88 third St., TAP 9, Lot 108, (R-10 zone).
32. PETITION OF WILLIAM STOUT, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to place a standby generator 7' from the south property line, (10' required), applying to the property located at 235 Gibbs Ave., TAP 20, Lot 194, (R-10A zone).

33. PETITION OF WILLIAM & SHARI DAILEY, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a second-floor bathroom addition which will be located 3.3' from the east property line, (10' required), applying to the property located at 9 Ellery Rd., TAP 20, Lot 83, (R-10A zone).
34. PETITION OF KATHRYN & EDWARD STEATOR, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct an entry foyer, add dormers to the existing garage for a bedroom use within the 50' required west side property line applying to the property located at 125 Brenton Rd., TAP 43, Lot 71, (R-160 zone).
35. PETITION OF TRENT & LINDSAY AINSWORTH, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to remove the existing front porch and construct a larger 1-story addition which will be located 3' from the east and west property lines, (10' required), and 0' from the north property line, (15' required), and which will increase the lot coverage from 34% to 40%, (20% allowed), applying to the property located at 19 Webster St., TAP 40, Lot 471, (R-10 zone).
36. PETITION OF PAMELA GIANNI, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to place 2 wall-mount air conditioning condensers 4.4' from the north property line, (15' required), applying to the property located at 173 Rhode Island Ave., TAP 26, Lot 87, (R-20 zone).
37. PETITION OF CATHERINE QUINN, TRUSTEE, applicant; MARY C. QUINN REVOCABLE TRUST INDENTURE, owner; for a special use permit and a variance to the dimensional requirements for permission to add a 442 sq. ft. of deck addition which will be located 5' from the south property line, (10' required), and which will increase the lot coverage from 24% to 33%, (20% allowed), applying to the property located at 17 Hope St. & 50 Powell Ave., TAP 11, Lot 68, (R-10 zone).
38. PETITION OF SPRUCE HOMES, LLC, applicants; LOUIS ALVES, owner, for a special use permit and a variance to the dimensional requirements for permission to add a second story addition which will be located 3.8' from the east property line, (10' required), applying to the property located at 9 Loyola Ter., TAP 11, Lot 563, (R-10A zone).
39. PETITION OF SANDRA MAHER & JORDAN WHITE, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to place a propane tank 1' from the north property line, (10' required), applying to the property located at 8 Tyler St., TAP 19, Lot 59, (R-10 zone).
40. PETITION OF KBC REALTY, LLC & MC² REALTY, LLC, applicants and owners; for a special use permit for permission to convert the existing retail space into a 2-bedroom guesthouse use applying to the property located at 86 Dr. Marcus F. Wheatland Blvd., TAP 37, Lot 44, (GB zone).

41. PETITION OF KENNETH APICERNO, TRUSTEE, applicant and owner, for a variance to the dimensional requirements for permission to place two air conditioning condensers 7.5' from the south property line, (10' required), and a standby generator which will be located 8.5' from the south property line, (10' required), applying to the property located at 1 Cliff Ter. TAP 31, Lot 55, (R-10 Zone).
42. PETITION OF KIMBERLY SABBAGH, applicant and owner: for a special use permit and a variance to the off-street parking requirements for permission to the existing retail space into a fast-food restaurant and provide 0 additional off-street parking spaces, (4 additional off-street parking spaces required), applying to the property located at 425 Thames St., TAP 32, Lot 21, (WB zone).
43. PETITION OF ERIKA MCENENY, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing rear deck and reconstruct and add a 7' x2' outdoor kitchen which will increase the lot coverage from 24.7% to 25.4%, (20% allowed), applying to the property located at 12 Champlin Place, TAP 20, Lot 158, (R-10A zone).
44. PETITION OF MICHAEL & EVELYN FISHMAN, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 15' x 21' addition which will be located 13.75' from the south property line, (20' required), and which will increase the lot coverage from 20% to 23%, (20% allowed), applying to the property located at 6 Murray Pl., TAP 37, Lot 111, (R-10A zone).

Adjournment:

Please note:

Meetings begin promptly at the time posted and will not last for more than four (4) hours. The Board normally will take a short break after 1½ to 2 hours of hearings to reaccess the agenda and their ability to reach the remaining items pending before it.

The Board will not entertain/begin a new petition after 10:00 p.m. and will conclude all hearings at 10:30 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.

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Please send any inquiry to Guy Weston, Zoning Officer, at gweston@cityofnewport.com or call (401) 845-5452