

Revised 6/02/20

**NEWPORT ZONING BOARD OF REVIEW**  
**THURSDAY, JUNE 11, 2020 – 7:00 P.M.**  
**City Hall Council Chambers, Second Floor**  
**43 Broadway**

**AGENDA**

**I. Call to Order**

**II. Roll Call and Determination of Quorum**

**III. Minutes:**

February 24, 2020

**IV. Communications:**

Decision of the Superior Court filed /3/4/20: Margaret Palmer v. Zoning Board of Review

**V. 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). (Cont. Ni Si)*
- 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). (Cont. Ni Si)*

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). (Cont. to June 22, 2020 pending review by the Planning Board and the Technical Review Committee)*
  
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). (Cont. to June 22, 2020 pending review by the Planning Board and the Technical Review Committee)*  
  
*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). (Cont. to June 22, 2020 pending review by the Planning Board and the Technical Review Committee)*
  
5. *PETITION OF LES HELMERS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 3rd floor addition which will be located 0' from the east property line, (3' required), applying to the property located at 28 Ann St., TAP 27, Lot 155, (R-3 zone). (Cont. to June 22, 2020)*
  
6. *PETITION OF L. ROSS SINCLAIR & DIANE KAZARIAN, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structure and build a new single-family dwelling which will be located 22' from the east property line, (50' required), and 18.8' from the south property line, (40' required), and which will reduce the lot coverage from 17.8% to 17.7%, (10% allowed), applying to the property located at 40 Castle Hill Ave., TAP 44, Lot 92, (R-40A zone). (Cont. to June 22, 2020)*
  
7. *APPEAL OF RICHARD FISHER & PATRICIA MARVEL FISHER, appellants, ARC HTNEWRI001, LLC, owner; appealing the issuance of Building Permit #123153, Plumbing Permit #123516, and Electrical Permit #123514 applying to the property located at 2 Kay St., TAP 21, Lot 123, (R-10 zone). (Cont. to June 22, 2020)*

8. *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). (Cont. to special meeting date to be determined)*
9. *APPEAL OF JOSEPH TOOLE & TOOLE COMPANIES, INC., appellant and owner; appealing the decision of the City Planner not certifying as complete an application for Development Plan Review applying to the property located at 202 J.T. Connell Highway, TAP 4, Lots 52 & 82, (CI zone). (Cont. to June 22, 2020)*
10. *APPEAL OF SRU HOLDINGS, LLC & SALVE REGINA UNIVERSITY, appellants and owners; appealing the decision of the Historic District Commission recorded on November 27, 2019, denying a Certificate of Appropriateness for the design of a proposed new dormitory, Building "B", (a/k/a Wallace Dormitory), TAP 36, Lots 48, 49, 89, 111, 126, a/k/a 204, 206, 218 Ruggles Ave., 108 Lawrence Ave., & 0 Victoria Ave. (Cont. to June 22, 2020)*
11. *PETITION OF JOHN DUKES, applicant; Lee & Thames Associates, owner; for a special use permit for permission to construct a new 16' x 18' rooftop deck addition applying to the property located at the corner of 550 Thames St. and 6 Lee Ave., TAP 35, Lot 257, (LB). (Cont. to June 22, 2020)*
12. *PETITION OF BRUCE MONIZ, applicant and owner, for a special use permit and a variance to the density requirement for permission to convert the existing first floor retail space into a soft serve ice cream shop, (fast-food restaurant), and provide 0 additional off-street parking spaces, (3 additional off-street parking spaces required), applying to the property located at 489 Thames St., TAP 32, Lot 157, (WB zone). (Summary)*
13. *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). (Cont. to special meeting to be determined)*
14. *PETITION OF SCOTT & MARY ROBINS, applicants and owners, for a special use permit and a variance to the dimensional requirements for permission to add 2nd floor decks which will be located approximately 12' from the north property line, (15' required), and a rear addition which will increase the lot coverage from 31% to 33%, (20% allowed), applying to the property located at 3 Greenough Pl., TAP 22, Lot 80, (R-10 zone). (Cont. to June 22, 2020)*
15. *PETITION OF JARED LAZOR, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a 16' x 17' rear deck which will be located approximately 7' from the west property line and 8' from the east property line, (10' required), and which will increase the lot coverage from 30% to 39%, (20% allowed), applying to the property located at 8 Cranston Ave., TAP 19, Lot 50, (R-10 zone). (Cont. to June 22, 2020)*

16. *PETITION OF PATRICIA LUDWIG, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 108 sq. ft. rear stair, a 378 sq. ft., 2nd floor deck addition, and a 3rd floor shed dormer addition all of which will be located 5' from the north property line, (10' required). Said new stairway addition to increase the lot coverage from 38% to 40%, (20% allowed), applying to the property located at 65 Third St., TAP 12, Lot 34, (R-10 zone). (Cont. to June 22, 2020)*
17. *PETITION OF DONALD TOFIAS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 1-1/2 story, 640 sq. ft., artist studio which will be located 2.25' from the south property line, (20' required), and a 65 sq. ft. shed will be located 5.3' from the east property line, (20' required). Said structures to increase the lot coverage from 16% to 18%, (10% allowed), applying to the property located at 79-83 Dixon St., TAP 35, Lot 282, (R-60 zone). (Cont. to June 22, 2020)*

## **VII. New Petitions**

18. *PETITION OF MICHAEL HANNERS, applicant and owner; for a variance to the dimensional requirements for permission to construct a 17' X 20', 1<sup>ST</sup> floor deck addition which will increase the lot coverage from 20% to 23%, (20% allowed), applying to the property located at 7 McCormick Rd., TAP 40, Lot 407, (R-10 zone). (Summary)*
19. *PETITION OF KATHLEEN CRAWFORD, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing detached, 1-story garage and construct a new 28' x 20', 2-1/2 story, detached garage which will be located 1' from the east property line, 3' from the south property line, (10' required), and which will increase the lot coverage from 32% to 40%, (20% allowed), applying to the property located at 29 Almy St., TAP 6, Lot 279, (R-10 zone). (Cont. to June 22, 2020)*
20. *PETITION OF SUZANNE & THOMAS ROWDEN, applicants and owners; for a special use permit to construct a new screen porch which will be located 16.75' from the south property line, (20' required), and alter a non-conforming structure by demolishing the existing detached garage and construction a new, 2-story addition which will have a total lot coverage of 41%, (20% allowed), applying to the property located at 8 Lucas Ave., TAP 39, Lot 306 & 334, (R-10 zone). (Summary)*
21. *PETITION OF JEFFERY MARLOWE & NANCY SPERONI, applicants and owners; for a special use permit and a variance to the dimensional and off-street parking requirements to construct a third floor addition to house a second dwelling unit, (new dwelling unit not allowed), which will be located .5' from the north property line, (5' required), and provide 0 additional off-street parking spaces, (2 additional off-street parking spaces required), applying to the property located at 113 Memorial Blvd. West, TAP 27, Lot 83, (GB zone). (Cont. to June 22, 2020)*
22. *PETITION OF JEROME & LESLIE CAPOCCIA, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to place a 6' x 11' shed, 1' from the south property line, (10' required), and which will increase the lot coverage from 26% to 29%, (20% allowed), applying to the property located at 19 Eustis Ave., TAP 11, Lot 227, (R-10A zone). (Summary)*

23. *PETITION OF PATRICK & DEBORAH DONOVAN, applicants and owners; for a special use permit and a variance to the off-street parking requirements for permission to convert the 2<sup>nd</sup> dwelling unit into a 3-bedroom guesthouse and provide 0' additional off-street parking spaces, (3 additional non-stacked parking spaces required), applying to the property located at 30 Harrison Ave., TAP 41, Lot 66, (R-10 zone). (Cont. to June 22, 2020)*
24. *PETITION OF ANTHONY LORUSSO, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to add a 12' by 23', 3-story addition with a 12' by 17'6", 3rd floor deck, and a 1'6" by 7'2" bump out, which will be located 4' from the north property line, (15' required), and which will increase lot coverage from 23% to 34%, (20% allowed), applying to the property located at 37 Wellington Ave. TAP 39, Lot 137, (R-10 zone.) (Cont. to June 22, 2020)*
25. *PETITION OF SEAN NAPOLITANO, applicant; A-1 ROOFING & CONSTRUCTION, owner; for a variance to the density requirements for permission to convert the structure from a single-family dwelling into a two family dwelling, (new two-family dwelling not allowed), applying to the property located at 46 Church St., TAP 24, Lot 154, (GB zone). (Cont. to June 22, 2020)*
26. *PETITION OF HOWARD WHARF, LP, applicant and owner; for a special use permit for permission to construct a 21-room transient guest facility with a standard restaurant applying to the property located at 24 Lee's Wharf a/k/a 5 Howard Wharf, TAP 32, Lot 314, (WB zone). (Summary)*
27. *PETITION OF THE SNOW EFFECT, LLC, applicant and lessee; WEST BROADWAY ASSOCIATES, owner; for a special use permit for permission to convert the existing retail space into a fast-food restaurant serving nutritional shakes, smoothies and related goods applying to the property located at 84 Broadway, TAP 17, Lot 340, (GB zone). (Summary)*
28. *PETITION OF PETER McGEOUGH, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 2-1/2 story kitchen/bedroom addition which will be located 5' from the east property line, (20' required), 8' from the south property line, (10' required), and which will increase the lot coverage from 34% to 37%, (20% allowed), applying to the property located at 39-1/2 Second St., TAP 12, Lot 147, (R-10 zone). (Cont. to June 22, 2020)*
29. *PETITION OF FRANCES & GERARD GUILLEMOT, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing detached carport and construct a 24' x 32', 1-1/2 story, detached, garage/storage building which will be located 5' from the east property line and 35' from the south property line, (50' required), applying to the property located at 53 Ridge Rd., TAP 44, Lot 47, (R-120 zone). (Summary)*
30. *PETITION OF JAMES PIZZARUSO & LYN MURRAY, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 2-1/2 story, single-family dwelling on an existing vacant lot which will be located 12' from the north property line, (15' required), 4.5' from the east property line, (10' required), and 17.4' from the south property line, (20' required). Said structure to have a lot coverage of 29%, (20% allowed), applying to the property located on 0 Vicksburg Pl., TAP 13, Lot 2, (R-10 zone). (Cont. to June 22, 2020)*

31. PETITION OF JOANN KUSS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to place an air conditioner condenser 7' from the north property line, (20' required), applying to the property located at 33 Ledge Rd., TAP 38, Lot 52, (R-60 zone). (*Abbreviated 7:20 pm*)
32. PETITION OF 8 WEST MARLBOROUGH STREET, LLC & JRL HOLDINGS, LLC, applicants and owners; for a special use permit for permission to create a 300 sq. ft., 2<sup>nd</sup> floor deck applying to the property located at 8 West Marlborough St., TAP 17, Lot 237, (GB zone). (*Summary*)
33. *PETITION OF ROBERT HIGGINBOTHAM, applicant and owner; for special use permit and a variance to the dimensional requirements for permission to place a standby generator 3.5' from the west property line, (10' required), and several additions including an inground pool all of which will increase the lot coverage from 21% to 28%, (20% allowed), applying to the property located at 12 Redwood St., TAP 25, Lot 70, (R-10 zone). (Cont. to June 22, 2020)*
34. *PETITION OF MALCOM PARKER, applicant and owner; for a variance to the off-street parking requirements and a special use permit for permission to rent the 2<sup>nd</sup> unit as a 3-bedroom guesthouse use and provide 2 off-street parking spaces, (3 additional off-street parking spaces required), applying to the property located at 25 Marsh St., TAP 16, Lot 243, (R-10 zone). (Cont. to June 22, 2020)*
35. PETITION OF GIUSEPPE (JOE) PUGLIARES, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct 10' X 14' shed which will be located 6' from the south property line and 3' from the west property line, (10' required), and which will increase the lot coverage from 24% to 26%, (20% allowed), applying to the property located at 98 Third St., TAP 9, Lot 142, (R-10 zone). (*Summary*)
36. PETITION OF GORDON DEVELOPMENT, applicant and owner, for a special use permit and a variance to the dimensional requirements for permission to construct a 5' x 8' rear laundry room and balcony addition which will be located approximately 17' from the south property line, (20' required), and which will increase the lot coverage from 22% to 24%, (20% allowed), also to place an air conditioning condenser 1' from the west property line, (10' required), applying to the property located at 7 Young St., TAP 32, Lot 318, (R-10 zone). (*Summary*)
37. *PETITION OF LISA PURCELL, applicant and lessee; WEST BROADWAY ASSOCIATES, owner; for a special use permit for permission to covert the existing retail space into a fast-food restaurant serving homemade ice cream and related goods applying to the property located at 76 Broadway, TAP 17, Lot 340, (GB zone). (To be withdrawn)*
38. PETITION OF RUPERT NESBIT, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing garage and construct a new 2-story, artist studio and workshop which will located 4.5' from the north property line, and 5.75' from the west property line, (10' required), and which will reduce the lot coverage from 39% to 38%, (20% allowed), applying to the property located at 15 Johnson Ct., TAP 14, Lot 13, (R-10 zone). (*Abbreviated 7:35 pm*)

39. PETITION OF JOHN HODGENS, JR., applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 12' x 12' shed which will be located 5' from the west property line, (10' required), applying to the property located at 9 Beach Ave., TAP 31, Lot 108, (R-10 zone). (*Summary*)
40. PETITION OF CHRISTINA CUSSIMANO & JOHN GRENIER, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 35 sq. ft. rear landing and stair addition which will increase the lot coverage from 31% to 32%, (20% allowed), applying to the property located at 34 Roseneath Ave., TAP 39, Lot 434, (R-10 zone). (*Abbreviated 7:50 pm*)
41. PETITION OF KATHRYN & EDWARD STEATOR, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a master bath bay which will be located 22' from the west property line (75' required), 2 air conditioner condensers which will be located 6' from the south property line, (50' required), and 2 air conditioner condensers which will be located 22' from the north property line, (50' required), applying to the property located at 125 Brenton Rd., TAP 43, Lot 71, (R-160 zone). (*Summary*)
42. PETITION OF CARL & NANCY TISKA, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to place a standby generator 4.1' from the north property line and 8' from the east property line, (10' required), applying to the property located at 24 Van Zandt Ave., TAP 9, Lot 97, (R-10 zone). (*Abbreviated 8:10 pm*)
43. PETITION OF DAN CORMIER, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 13.5' X 13' rear bedroom addition which will increase the lot coverage from 23% to 25%, (20% allowed), applying to the property located at 32 Toppa Blvd., TAP 11, Lot 575, (R-10A zone). (*Summary*)
44. PETITION OF KATHRYN O'CONNOR, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct two new rear deck landings, one of which will be located 6.2' from the north property line, (10' required). Said additions will increase the lot coverage from 72% to 75%, (20% allowed), applying to the property located at 4 Record St., TAP 10, Lot 193, (R-10 zone). (*Abbreviated 8:25 pm*)
45. Amended PETITION OF BARBARA WINKLER & ROBERT VITELLO, applicants & owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 13' x 19.5' first floor, rear deck and stair addition which will increase the lot coverage from 26% to 31%, (20% allowed), applying to the property located at 17 Everett Street, TAP 19, Lot 52, (R-10 zone). (*Abbreviated 8:40 pm*)
46. PETITION OF DAVID PLATT, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 15' x 7' first floor , rear deck and stair addition which will increase the lot coverage from 22% to 25%, (20% allowed), applying to the property located at 70 Bridge St., TAP 16, Lot 78, (R-10 zone). (*Abbreviated 8:50 pm*)
47. PETITION OF CHERYL CHANDLER, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct 413 sq. ft. above-ground pool which will increase the lot coverage from 19% to 23%, (20% allowed), applying to the property located at 14 Madeline Dr., TAP 7, Lot 569, (R-10 zone). (*Summary*)

48. *PETITION OF PATRICIA ANNE HEALY, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 2-story connecting addition from the rear of the existing house to the existing garage which will be located 2' from the west property line, (10' required), 2.5' from the east property line, (15' required), and which will increase the lot coverage from 31% to 40%, (20% allowed), applying to the property located at 56 Connection St., TAP 39, Lot 114, (R-10 zone). (Cont. to June 22, 2020)*
49. *PETITION OF JEFF BROOKS, applicant and owner; for a special use permit for permission to have 3 chickens housed on the property applying to the property located at 11-1/2 Newport Ave., TAP 14 Lot 133, (R-10 zone). (Cont. to June 22, 2020)*

### **VIII. 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 10:30 p.m. and will conclude all hearings at 11:00 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.*

***Items not to be heard tonight.***