

Revised 9/25/20

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NEWPORT ZONING BOARD OF REVIEW WEDNESDAY, SEPTEMBER 30, 2020 – 7:00 P.M.

THE MEETING WILL BE HELD REMOTELY IN COMPLIANCE WITH GOVERNOR RAIMONDO’S EXECUTIVE ORDER 20-25- 1. (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 ACTIVITES ARE OCCURING”.

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:

August 24, 2020

IV. Communications:

Memo from the Newport Planning Board dated September 4, 2020, Re: PETITION OF HOWARD WHARF, LP.

Rebuttal to Response Briefs from William Landry received 9/22/20 Re: Appeal of Salve University. (Transmitted by email)

Letter from the Attorney General’s Office Re: Request for Continuance-PETITION OF HOWARD WHARF, LP

Action Items:

Request for Extension of Approval

None

Decisions (Receive, review, and sign)

None

Election of Vice Chair and Secretary

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 10/26/2020)**
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 10/26/2020)**
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). **(Cont. to 10/26/2020)**

6. 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 10/26/2020)**
7. 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).
8. 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).
9. 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)**
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. **(Decision)**
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 zone). **(Cont. to 10/26/2020)**
12. 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)**
13. 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).

14. 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). **(To Be Withdrawn)**
15. 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).
16. 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).
17. 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 2nd 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).
18. 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).
19. 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).
20. 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).
21. 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).

22. 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).
23. PETITION OF TOM BEATON, 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).
24. PETITION OF WAYNE BEEBE, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 12' x 20' detached garage which will be located 0' from the west property line, (15' required), and which will increase the lot coverage from 26% to 31%, (20% allowed), applying to the property located at 5 Caswell Ave., TAP 6, Lot 360, (R-10 zone).
25. PETITION OF PATRICK SULLIVAN, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 24' x 26', 1-1/2 story detached garage which will be located 3.5' from the north and 5' east property lines, (10' required), and which will increase the lot coverage from 25% to 39%, (20% allowed), applying to the property located at 49 Farewell St., TAP 18, Lot 61-4, (R-10 zone).
26. PETITION OF JEROME KIRBY, III, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a new, 2-1/2 story, single-family dwelling and detached garage which will be located 1' from the north and west property lines, (10' required). Said proposal will increase the lot coverage from 0% to 30%, (20% allowed), applying to the property located at 117 Carroll Ave., TAP 41, Lot 407, (R-10A zone).
27. PETITION OF ELIZABETH ENOCHS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing structure and construct a larger single-family dwelling, shed and pool house all of which will increase the lot coverage from 12% to 14%, (10% allowed). New dwelling to be 24.3' from east property line and 36.5' from west property line, (40' required). Proposed shed to be located 5.75' from the east property line and proposed pool house to be located 13' from the east property line, (20' required), applying to the property located at 3 Gordon St., TAP 36, Lot 90, (R-60 zone). **(Cont. to 10/26/2020)**
28. PETITION OF TIM MANNING, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a full second story addition to the existing detached garage which will be located 1' from the east property line, (10' required), and which will increase lot coverage from 30% to 31%, (20% allowed), applying to the property located at 25 Thurston Ave., TAP 7, Lot 51, (R-10 zone).

29. PETITION OF JAMES & DENISE CARRIA, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a second floor dormer addition which will be located 6.5' and 7.75' from the north property line, (10' required), applying to the property located on 2 Ellery Rd., TAP 20, Lot 6, (R-10A zone).
30. PETITITON 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).
31. PETITION OF DEREK SAVAS, ET ALS, applicants and owners, for a variance to the dimensional requirements for permission to construct a new single family dwelling which will be located 6' from the south property line, (10' required), and which will increase the lot coverage from 0% to 21%, (20% allowed), applying to the property located at 359 Thames St., TAP 27, Lot 158, Units UFG, (WB Zone). **(Continue to October 26, 2020 pending review of the Planning Board on October 5, 2020).**
32. PETITION OF FELISA NOBLES, applicant; THEODORE COTSORDIS, owner; for a special use permit and a variance to the dimensional requirements for permission to construct a third floor dormer which will be located 0' from the west property line and 3.5' from the east property line, (10' required), and a new rear second floor deck which will be located approximately 4' from the east property line and 3.5' from the west property line, (10' required). Said deck to increase the lot coverage from 57% to 66%, (20% allowed), applying to the property located at 108 Van Zandt Ave., TAP 9, Lot 432, (R-10 zone).
33. PETITION OF STEPHEN & DIANE SAYERS, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing three-car garage and construct a new single-family dwelling which will be located 7' from the east property line, 5' from the west property line, (10' required), and which will increase the lot coverage from 19% to 30%, (20% allowed), applying to the property on Casey Ct., TAP 37, Lot 32, (R-10A zone).
34. APPEAL OF MR. & MRS. LES HELMERS, appellant and owner; appealing the decision of the Historic District Commission on the denial of a roof addition applying to the property located at 28 Ann St., TAP 27, Lot 155, (R-10 zone).

VII. New Petitions:

35. PETITION OF ANTHONY ZALOUMIS, applicant and owner; for a special use permit for permission to convert a portion of the building into a 4-room guest house use applying to the property located at 22 Freebody St., TAP 33, Lot 56, (R-10 zone). **(Continue to October 26, 2020 pending review of the Planning Board on October 5, 2020).**
36. 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).

37. PETITION OF JOHN McCARTHY, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 16' x 22' second level deck which will be located 6' from the west property line, (10' required), and which will increase the lot coverage from 27% to 37%, (20% allowed), applying to the property located at 19 South Baptist St., TAP 32, Lot 186, (R-10 zone).
38. PETITION OF MADELINE MARQUISS, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to extend the existing 9' x 9' deck to a 14' x 12' deck which is located 3' from the east property line, (10' required), and which will increase the lot coverage from 39% to 42%, (20% allowed), applying to the property located at 31 Evarts St., TAP 9, Lot 38, (R-10 zone).
39. PETITION OF NAVARRE HIEBEL, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 12' x 14' porch addition which will be located 8.3' from the east property line, (10' required), and which will increase the lot coverage from 26% to 29%, (20% allowed) applying to the property located at 94 Ruggles Ave., TAP 40, Lot 333, (R-10A zone).
40. PETITION OF ESMOND HARMSWORTH, applicant and owner; for a special use permit and a variance to the dimensional requirement for permission to construct a 1,000 sq. ft. veranda addition on the east side of the building and which will increase the lot coverage from 15% to 17%, (10% allowed), applying to the property located at 639 Bellevue Ave., TAP 38, Lot 5, (R-60 zone).
41. PETITION OF TRACY COPPLA, applicant and lessee; BELLEVUE PLAZA, LLC, owner; for a special use permit for permission to convert the existing 1,600 sq. ft. retail store into a fast-food restaurant serving nutritional shakes, smoothies and related goods applying to the property located at 260 Bellevue Ave., TAP 33, Lot 57, (GB zone). **(Continue to October 26, 2020 pending review of the Planning Board on October 5, 2020).**
42. PETITION OF ADAM ZAFF, applicant and owner; for a dimensional variance for permission to construct a new single-family dwelling which will be located 8.1' from the west property line, 8.6' from the south property line, 5.5' from the north property line and 4.7' from the east property line, (10' required), and which will increase the lot coverage from 0% to 31%, (20% allowed), applying to the property located at 0 Tompkins Ct., TAP 25, Lot 125, (R-10 zone).
43. PETITION OF KENNETH & DEBORAH McDONALD, applicants and owners; for a special use permit and a variance to the off-street parking requirements for permission to slightly elevate the existing structure, add a second floor rear addition and new front entrance. Said building is located 1' from the north property line, 8' from the south property line, (10' required), and 15.75' from the west property line, (20' required). Said proposal will increase the lot coverage from 41% to 43%, (20% allowed), applying to the property located at 40 Second St., TAP 12, Lot 275, (R-10 zone).
44. PETITION OF HINDA & STEVE PERDREAUX, applicants and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 6' x 19.23' rear deck addition with a pergola roof which will be located 2' from the north property line, (10' required) and which will increase the lot coverage from 22% to 25%, (20% allowed), applying to the property located at 51 Third St., TAP 12, Lot 43, (R-10 zone).

45. PETITION OF MELVIN HILL, applicant; WHITE WALL, LLC, owner; for a variance to the dimensional requirements for permission to construct a 540 sq. ft. inground pool which will increase the lot coverage from 20% to 25%, (20% allowed), applying to the property located at 21 Prairie Ave., TAP 20, Lot 220, (R-10 zone).
46. PETITION OF JUAN & ALBA CAMPOS, applicants and owners; for special use permit and a variance to the dimensional requirements for permission to demolish the existing garage and construct a 32' x 20', 2-1/2 story, detached single-family dwelling on the property, (One principal building per lot allowed), which will increase the lot coverage from 26% to 27%, (20% allowed), applying to the property located at 132 Evarts St., TAP 10, Lot 203, (R-10 zone).
47. PETITION OF FRANK & TERESA CONSOLI, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a two story addition above the existing rear one story and deck which will be located 3.75' from the east property line, (10' required), and which will increase the lot coverage from 29% to 30%, (20% allowed), applying to the property located at 21 Connection St., TAP 39, Lot 451, (R-10 zone).
48. PETITION OF KEVIN & DINA QUIRK, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to add new front and rear gable dormers to the existing detached garage which is located 53' from the north property line, (100' required), and add an exterior stairway which will increase the lot coverage from 9.2% to 9.3%, (6% allowed), applying to the property located at 24 Brenton Rd., TAP 41, Lot 301, (R-160 zone).
49. 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%, (20% allowed), applying to the property located at 122 Ruggles Ave., TAP 40, Lot 346, (R-10A zone).
50. PETITION OF 12 PEARL, LLC, applicant; ALVIN WARD, JR. ET ALS, owners; for a special use permit and a variance to the dimensional requirements for permission to construct third floor dormers which will be located 1' from the west property line, (10' required), applying to the property located at 2 Sharon Ct., TAP 39, Lot 396, (R-10 zone).

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.

*Telephone Access is available Toll Free by dialing: 1-888-788-0099 (Toll Free) or 1-833-548-0276 (Toll Free) or 1-877-853-5247 (Toll Free)

<https://zoom.us/97895088337>

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