Minutes of the

**Newport Zoning Board of Review**

A meeting of the Zoning Board of Review was held on Monday, February 22, 2021, via the Zoom meeting platform at 7:00 p.m.

PRESENT: Chuck Allott, Chair

Bart Grimes

Russell Johnson

David Riley

Robert Buzard Secretary

Samuel Goldblatt

Guy Weston, Zoning Officer

Girard Galvin, Assistant City Solicitor

Nancy Caron, Stenographer, Allied Court Reporters

ABSENT: Wick Rudd

**DECISIONS**

Action item:

A motion to approve the PETITION OF JERRELL ANGELL, applicant and owner; for a special use permit and a variance to the dimensional requirement for permission to construct a new detached 1-1/2 story garage/studio which will be located 41.5’ from the west property line, (75’ required), applying to the property located at 8 Columbus Ave., TAP 42, Lot 40, (R-120 zone). Was made by Mr. Johnson, seconded by Mr. Buzard and unanimously approved for (12) twelve months.

A motion to sustain the APPEAL OF CONCERNED CASEY COURT NEIGHBORS & JEFFERY GRONNING, appellants; STEPHEN & DIANE SAYERS, owners; appealing the issuance of Building Permit #127330 for the construction of a new single-family dwelling applying to the property located on Casey Ct., TAP 37, lot 32, (R-10A zone) by Mr. Johnson, seconded by Mr. Buzard. The motion was unanimously denied. Mr. Goldblatt was a voting member. Attorney J. Russell Jackson represented the applicant.

A motion to approve the PETITION OF NAILL NUGENT applicant; KEITH LITTLEFIELD, owner; for a special use permit and a variance to the dimensional requirements for permission to transfer approximately 1,175 sq. ft. of land from Lot 246 to abutting Lot 142. Lot 246 to be reduced to 4,683 sq. ft., (10,000 sq. ft. required). Lot coverage on Lot 246 to be increased from 20% to 25%, (20% allowed), applying to the property located at 395 Spring St., TAP 32, Lot 246, (R-10 zone), as made by Mr. Johnson, seconded by Mr. Buzard. The petition was unanimously approved with the condition to be substantially completed within (12) twelve months of the date of decision and all invoices due to the City for abutter notices be paid prior to recording the decision.

A motion to approve the PETITION OF DENNIS ROTUNNO, TRUSTEE, applicant and owner; special use permit and a variance to the dimensional requirements for permission to demolish the existing dwelling and construct a new 2-story dwelling which will be located 5’ from the west and 3.7’ from the east property lines, (10’ required), and which will reduce the lot coverage from 29% to 27%, (20% allowed), applying to the property located at 5 Sylvan Ter., TAP 33, Lot 95, (R-10 zone). Was made by Mr. Johnson, seconded by Mr. Buzard. The petition was approved unanimously with the condition that there be no connection between the house and the garage and no second floor. Attorney Peter Regan represented the applicant.

A motion to approve the PETITION OF WILLIAM WINTHROP, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to place a standby generator approximately 7’ from the south property line, (10’ required), applying to the property located at 8 Andrew St., TAP 40, Lot 484, (R-10A zone). Was made by Mr. Johnson, seconded by Mr. Buzard. The petition was unanimously approved with the condition testing be done Monday through Friday during the hours of 9am to 5pm. The project to be started and substantially completed within (12) twelve months of the date of the decision and that all invoices due to the city for abutter invoice be paid prior to recording.

A motion to approve the PETITION OF CELIA & GREG MACDONNELL, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 368 sq. ft. rear deck addition which will increase the lot coverage from 24% to 28%, (20% allowed), applying to the property located at 13 McCormick Rd., TAP 40, Lot 422, (R-10A zone). Was made by Mr. Johnson, seconded by Mr. Buzard. The petition was unanimously approved with the condition that it not be used for dwelling use. All invoices due to the city for abutter invoices be paid prior to recording and the project is to be started and substantially completed within (12) twelve months of the date of decision.

A motion to approve PETITION OF KEVIN & DINA QUIRK, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to add a new standby generator which will be located 49' from the north property line, (100' required), applying to the property located at 24 Brenton Rd., TAP 41, Lot 301, (R-160 zone). Was made by Mr. Johnson, seconded by Mr. Buzard. The petition was unanimously approved with the condition that the generator be screened and testing done Monday through Friday between the hours of 9am to 5pm. The project is to be started and substantially completed with (12) twelve months of the date of decision and all invoices due to the city are paid prior to recording. Attorney J. Russell Jackson represented the applicant.

The following petition was approved summarily:

PETITION OF AUSTIN WILLIS, applicant and owner for a special use permit and variance to the dimensional requirements for permission to demolish the existing school buildings and add an 884 sq. ft. addition to the rear of the existing guest house which will be located 34’ from the south property line, (100’ required), applying to the property located at 75 Brenton Rd., TAP 43, Lot 24, (R-160 zone).

The following petitions were withdrawn without prejudice:

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).

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

The following petitions were continued to Monday, March 22, 2021:

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).

PETITION OF LUKE & CYNTHIA MURRAY, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing garage structure and construct a single-family dwelling which is located 2.5' from the north property line, (10' required), 3.6' from the west property line, (20' required), and which will increase the lot coverage from 39% to 45%, (20% allowed), applying to the property located on Tews Ct., TAP 26, Lot 32, (R-10 zone).

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).

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).

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).

PETITITION 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, a36’ 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).

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). (awaiting brief and transcripts)

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).

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). (Cont. pending review by the Planning Board and the Technical Review Committee.)

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).

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).

PETITION OF BCM REALTY PARTNERS, LLC, applicants; ST. AUGUSTIN’S CHURCH OF NEWPORT, owner; for a special use permit and a variance to the dimensional requirements for permission to convert the existing convent/rectory and 2 dwelling units into a multi-family dwelling with 4 dwelling units and construct a 8’ x 17’ storage shed which will be located 3’ from the east property line, (10’ required), and which will increase the lot coverage from 39% to 40%, (20% allowed), applying to the property located at 2 Eastnor Rd., TAP 40, Lot 192, (R-10 zone).

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 north property line, (10’ required), applying to the property located at 33 Merton Rd., TAP 29, Lot 157, (R-10 zone)

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).

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).

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). (Cont. to April 26, 2021 pending review by the Planning Board).

PETITION OF CAMERON & MICHAELA STEWART, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 2-story rear addition which will be located 3.75’ from the south property line, (10’ required), a gas fireplace which will be located 2’ from the south property line, (10’ required), and add a new 12’ x 26’ rear deck with stairs all of which increase the lot coverage from 18% to 26%, (20% allowed), applying to the property located at 114 Champlin Pl. North, TAP 20, Lot 203, (R-10A zone).

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). (Cont. to April 26, 2021 pending review by the Planning Board)

PETITION OF WILLIAM & CRISTINA HEIDEN, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to slightly increase the existing garage and family room which will be located 5.75’ from the north property line, (10’ required) and which will increase the lot coverage from 28.5% to 29%, (20% allowed), applying to the property located at 18 Cliff Ave., TAP 31, Lot 122, (R-10 zone).

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). (Cont. to April 26, 2021 pending review by the Planning Board)