

Meeting Minutes Newport Planning Board

Monday, July 13, 2020

REMOTELY

I. Call to Order

The Chair called the meeting to order at 6:30 pm.

II. Roll Call & Determination of Quorum

The Secretary called the roll and determined a quorum of board members present.

Members Present:

Chair Kim Salerno

Vice-Chair Jeff Brooks

Secretary Liam Barry

Stephen Berlucchi

Elizabeth Fuerte

Richard Haggis

Paul Marshall

John Oliveira

Melissa Pattavina

Members Absent:

None

Staff Present:

Patricia Reynolds, Director of Planning and Economic Development

Peter Friedrichs, City Planner

III. Review, Discussion, and/or Action of Minutes of Preceding Meetings

A. [June 22, 2020](#)

The minutes were approved 7-0, with Mr. Marshall and Mr. Oliveira abstaining due to their absence from this meeting.

IV. Communications

A. [Resolution 2020-54 of the City Council requesting the Planning Board site retail marijuana uses in the zoning ordinance](#)

In reviewing the resolution, Mr. Berlucchi thought the compassion center in Portsmouth was a better example than the retail marijuana locations in Fall River, as the State is currently focused on expanding compassion center licenses and not fully legalizing marijuana. Director Reynolds noted the Council is aware of the current issue with expanding compassion center licenses, but retail marijuana could be on the horizon and the City Council wants to be prepared. Director Reynolds informed the Council is still working on the moratorium. She will check in with the Solicitor on next steps
Received.

V. Business

A. Demolition Public Hearing and Possible Action:

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1. *(to be continued to the next regular meeting)* [Petition of Harbour Realty LLC, Tomorl LLC, 20 West Extension LLC, and Thomas B. Abruzese, applicants and owners, regarding demolition of a nightclub and restaurant, warehouse, warehouse, and a single-family home, respectively, at 25 and 1 Waites Wharf, 16 Waites Wharf, 20 W Extension Street, and 23 Coddington Wharf, respectively, Assessor's Plat 32 Lots 155 and 268, 248, 267, and 293, respectively.](#)

Ms. Pattavina recused herself from this item. The Board, citing the contentious nature of this petition and the inability to hold a physical public hearing, unanimously continued the petition to the August 3rd regularly scheduled meeting.

13. Minor Subdivision, combined Preliminary and Final Approval:

1. *(to be continued to the next regular meeting at applicant's request)* [Petition of Schoolyard Properties, LLC, applicant and property owner, regarding subdivision of former school property at 90 Harrison Avenue, Assessor's Plat 41 Lot 14, into five \(5\) residential properties, ranging from 40,463 square feet to 82,685 square feet in size.](#)

Ms. Pattavina recused herself from this item. The petition was continued unanimously to the August 3rd regularly scheduled meeting at the applicant's request.

14. Development Plan Review and Special Use Permit Conformance to Comprehensive Plan Opinion to Zoning Board of Review

1. [Petition of Howard Wharf, LP, applicant and property owner, for a special use permit for permission to construct a 21-room transient guest facility with a standard restaurant apply to the property located at 23 Lee's Wharf a/k/a 5 Howard Wharf, TAP 32, Lot 314 \(WB Zone\)](#)
 - [TRC Memo](#)
 - [Staff Report](#)

A deficiency was noted in the meeting notice due the Planning Board's webpage not being updated. The applicant told Mr. Friedrichs earlier in the day that they would not object to a continuance. The petition was continued unanimously to the August 3rd regularly scheduled meeting to ensure proper meeting notice is provided.

15. Special Use Permit Conformance to Comprehensive Plan Opinion to Zoning Board of Review:

1. [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, \(R-10 zone\).](#)
 - [Staff Report](#)

Mr. Brooks recused himself to represent himself in this petition. Ms. Reynolds introduced the petition. Mr. Brooks and Marina Perea, applicants and property owners, noted their desire to be more self-sustaining with regard to food production. Mr. Brooks shared a cut sheet of the chicken coop. Instead of a homemade coop attached to the garage, it will be a pre-produced unit in the yard near the side entrance to the house. Mr. Berlucchi asked about coyotes. Mr. Brooks stated his yard was already secure for his dog. No public comment was noted. The Board voted 8-0 to replace goal

T-5 with NR-3 of the staff report. Mr. Friedrichs noted he misread the site plan and had incorrectly thought the yard was the access for the parking area. The Board voted 8-0 to adopt the amended findings of fact. The Board then voted 8-0 to send the Zoning Board of Review an opinion that the petition conforms to the Comprehensive Plan.

E. Consideration and Action Regarding

1. [Sample Meeting Procedures](#)

Mr. Friedrichs explained the sample meeting procedures had been updated since the last meeting to note that items under a public hearing cannot be amended after the public hearing is closed. Any amendments need to be made prior to the close of the hearing and the public needs to be given the opportunity to comment on said amendments. The Board unanimously endorsed the meeting procedures and instructed staff to add them to the Planning Board webpage.

VI. Presentation and Discussion of Reports

A. Chair's Report

1. Coronavirus Pandemic Response

The working group met with the City Manager to get on the same page regarding street closures. The group will need to reconvene to work on next steps.

B. Short Term Rental Investigatory Group

A resolution passed last week by the City Council will be on the agenda for the next regular Planning Board meeting.

C. Liaison's Reports

1. Resiliency

The City worked on a grant application for Military Installation Resilience Program to Dept. of Defense Office of Economic Adjustment in partnership with the base and URI's Coastal Resources Center and Graduate School of Oceanography to apply URI technology to run scenarios and workshops to assess vulnerabilities at the base and develop solutions and appropriate updates to MOUs between the base and host island communities. EV stations at the Gateway Center were installed the week of June 8. Relevant City staff received training on running ChargePoint "dashboard" to monitor the stations and set fees. Fees currently include a small profit for the City and prohibitive parking rates after charge is done to discourage staying on the station. Customers locate and pay for use of chargers through their phones. Census 2020: the resiliency officer runs weekly calls with the Newport Census team, which includes local agencies involved in Census outreach. COVID required a significant pivot to programs due to need for social distancing. Tracts with Hard to Count Communities have benefited significantly from the work done by these local agencies. Tract 410 in Aquidneck Neck has a low response rate and the Department is working with the Census Bureau to improve counts. Rhode Island Infrastructure Bank Municipal Resilience Workshop has been scheduled for the afternoon of Tuesday, August 25th. Due to COVID, Middletown and Newport are doing separate workshops via Zoom with limited number of 24 participants. Invitations are ready to go out and surveys will be sent to numerous local stakeholders (including the Planning Board) to gather data in advance of the workshop. There will also be a post-workshop presentation of findings with public participation. Comments will be included in the final draft of the Summary of Findings, the final deliverable. Completion of the

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project will allow Newport to apply for loans from the RIIB for related projects and those identified as priorities in the workshop.

II. Staff Report

1. Minor Subdivision Final Approval of 59 Kay Boulevard, Assessor's Plat 11 Lot 373

Once the Board's conditions were satisfied, the Administrative Officer granted Final Approval of this subdivision.

2. Administrative Subdivision (lot merger) of 1 and 5 Berkeley Avenue, Assessor's Plat 33 Lots 26 and 29

This approved merger was a condition of approval of a Zoning Board of Review decision a couple of years ago.

3. Technical Review Committee meeting report

Lee's Wharf was reviewed by the TRC and forwarded to the Planning Board. The redevelopment of Cranston-Calvert School will be reviewed August 12. The Boys and Girls Club is redoing their Mill Street entrance. Development Plan Review approval was granted on June 10. The TRC approved a car wash at 202 JT Connell Highway on July 8. The TRC also drafted procedures that will need to be approved by the Planning Board. The TRC has been reviewing the North End work as well. Finally, the Utilities Department's consultant for addressing flooding in the Whitwell neighborhood presented to the TRC.

4. North End Urban Plan

It does not look like an in-person meeting will be held anytime soon. Staff have received a draft of the Urban Plan from the consultant and are working through edits. Once a draft is ready for review, it will be submitted to the Planning Board. After a public hearing, it will be forwarded to the Council for adoption as an ordinance.

5. Open Government Summit

The Rhode Island Attorney General's annual Open Government Summit will be Friday, July 31, 2020 from 9am-noon. Register and view at www.riag.ri.gov.

6. Historic Preservation Training

The Providence Preservation Society will be conducting a training on the difference between local and national historic districts called Bite-Sized Preservation: Historic Districts 101 on Thursday, July 23, 2020 from noon-1pm. Register at www.ppsri.org.

VII. Adjournment

The Board voted unanimously to adjourn the meeting at 7:44 pm.