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# NEWPORT ZONING BOARD OF REVIEW

## MONDAY, JANUARY 4, 2021 – 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 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:**

November 23, 2020, December 14, 2020 and December 17, 2020

#### **IV. Communications:**

##### **Action Items:**

##### **Request for Extension of Approval**

None

##### **Decisions (Receive, review, and sign)**

None

#### **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 an 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).

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).

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).

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).

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. PETITION OF WELOVE NEWPORT, LLC, applicant and owner; for a variance to the



dimensional requirements for permission to demolish the existing structure and construct anew 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., TAP42, Lot 10, (R-120 zone). **(Cont. to special meeting date to be determined)**

9. 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).

10. APPEAL OF WELOVE NEWPORT, 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)**

11. 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).

12. 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).

13. 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). **(Continue to a special meeting in January 18, 2021)**

14. 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 poolhouse 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).

15. 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).

16. 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).

17. 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).

18. 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). **(Continue to January 25, 2021)**

19. 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).

20. 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).

21. 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)**

22. 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).



23. PETITION OF KEVIN & PATRICIA MEEHAN, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 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 principal 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. to January 25, 2021 pending review by the Planning Board and the Technical Review Committee.)**
24. PETITION OF JAMES GREENE, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to maintain a new 1<sup>st</sup> floor deck which was constructed 7' from the south property line, (10' required), and which increased the lot coverage from 29% to 30%, (20% allowed), applying to the property located at 209 Third St., TAP 9, Lot 350, (R-10 zone).
25. PETITION OF STEPHEN & CRISTA DURAND, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to structure an outdoor grill/refrigerator structure which will be located 0' from the south property line and 1' from the east property line, (10' required), and an outdoor shower all of which will increase the lot coverage from 60% to 63%, (20% allowed), applying to the property located at 5 Whitfield Pl., TAP 21, Lot 220, (R-10 zone).
26. PETITION OF STEPHEN MONK & PAUL BREINER, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 160 sq. ft. first floor deck and a 49 sq. ft. second floor deck and add two second floor dormers to the existing detached garage which is located 3.66' from the south property line, (5' required), applying to the property located at 79 Prospect Hill St., TAP 27, Lot 59, (R-3 zone).
27. PETITION OF ERICA MANNION, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to remove the existing deck and replace with a covered porch and stairs which will increase the lot coverage from 26% to 29%, (20% allowed), applying to the property located at 11 West St., TAP 32, Lot 133, (R-10 zone).
28. PETITION OF JOSEPH & BRENDA BAGINSKI, applicants and owners; for a variance to the dimensional requirements for permission to construct a new single-family dwelling which will increase the lot coverage from 0% to 31%, (20% allowed), applying to the property located on Keeher Ave., TAP 11, Lot 748, (R-10A zone).

## **VII. New Petitions:**

29. PETITION OF MICHAEL & ELIZABETH TOPPA, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct an "optional second floor deck" which will be located approximately 32' from the east property line, (40' required), and a 20' x 14' single-story addition which will be located 14' from the west property line, (40' required), and which will increase the lot coverage from 16% to 18%, (15% allowed), applying to the property located at 71 Harrison Ave., TAP 42, Lot 4, (R-40 zone).
30. PETITION OF MATTHEW LEDUC, applicant and owner; for special use permit and a variance to the dimensional requirements for permission to construct a stairway extension which will be located 3' from the east property line, (10' required), and which will increase the lot coverage from 42% to 43%, (20% allowed), applying to the property located at the 11 Vaughan Ave., TAP 40, Lot 221, (R-10 zone).
31. PETITION OF STEPHEN & CRISTA DURAND, applicants; 130 TOURO STREET LLC owner; for a special use permit and a variance to the dimensional requirements for permission to structure an outdoor grill/refrigerator structure which will be located 0' from the north property line and 1' from the east property line, (10' required), and an outdoor tv structure which will be located 5' from the north property line, (10' required), applying to the property located at 130 Touro St., TAP 21, Lot 121, (R-10 zone).
32. PETITION OF MIDCLIFF, LLC, applicant and owner; for a special use permit and variance to the dimensional requirements for permission to place a transformer and generator 4' from the east property line, (20' required) and 12' from the north property line, (50' required); place an enclosed utility yard 1.5' from the east property line, (20' required); construct a 50 sq. ft. basement access addition 31' from the east property line, (20' required); and construct a 630 sq. ft. porch addition on the westerly side of the dwelling which will be located 23' from the west property line, (20' required); applying to the property located at 229 Ruggles Ave., TAP 36, Lot 51, (R-60 zone).
33. 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).

34. PETITION OF GREGORY GENTILE, applicant and owner; for a variance to the dimensional requirements for permission to construct a 7' x 13', inground pool, a 6.75' x 23' deck and a 9' x 12' deck, which will increase the lot coverage from 15% to 17%, (15% allowed), applying to the property located at 116 Old Beach Rd., TAP 23, Lot 170, (R-20 zone).

35. PETITION OF CHRISTOPHER WILLIAMS, applicant and owner; for a variance to the dimensional requirements for permission to construct a 288 sq. ft. inground pool which will be located 8' from the east property line, (10' required), and which will increase the lot coverage from 44% to 51% (20% allowed) applying to the property located at 9 Peckham Ave., TAP 7, Lot 107, (R-10 zone).

36. PETITION OF JEFF BROOKS, applicant and owner; for a special use permit and a variance for permission to construct a 1st and 2nd floor deck addition which will increase the lot coverage from 38% to 40%, (20% allowed), applying to the property located at 11½ Newport Ave., TAP 14 Lot 133, (R-10 zone).

37. PETITION OF MARY BETH GARRETT, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a new 45 sq. ft. front porch addition which will increase the lot coverage from 23% to 24%, (20% allowed), applying to the property located at 63 Bliss Mine Rd., TAP 11, Lot 631, (R-10A zone).

38. PETITION OF EILEEN CREATON, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a new 44 sq. ft. ,2-story addition which will be located 6' from the east property line, (10' required), and a 140 sq. ft. front porch and stair addition which will increase the lot coverage from 23% to 28%, (20% allowed), applying to the property located at 8 Dana St., TAP 11, Lot 737, (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 10:30 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.*

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

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