

# Meeting Minutes Newport Planning Board

**Monday, July 1, 2019  
Newport City Hall, Council  
Chambers  
43 Broadway, Newport, RI**

## I. Call to Order

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

## II. Roll Call & Determination of Quorum

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

Members Present:

Kim Salerno, Chair

Liam Barry, Vice Chair

Jeff Brooks, Secretary

Paul Marshall

Melissa Pattavina

Members Absent:

David Allard

Timothy Burns

John Oliveira

Staff Present:

Guy Weston, Zoning Official

Peter Friedrichs, City Planner

Nancy Simoes Caron, Stenographer, Allied Court Reporters

## III. Review, discussion, and/or action of Minutes of Preceding Meetings

### A. June 3, 2019

No action was taken.

## IV. Receiving of Communications

### A. Notice And Claim of Appeal of a Decision of the Newport Historic District Commission

1. Federico Santi and John Gacher, abutters to 166 Spring Street, Assessor's Plat 24 Lot 225

### B. Notice of Major Subdivision in Middletown

1. Petition of Morrison Farm, LLC, for Master Plan approval of a 6-lot major subdivision of land fronting on Morrison Avenue and Aquidneck Ave., Assessor's Plat 114 Lot 820

Received.

## V. Business

### A. Public Informational Meeting and Major Subdivision Master Plan Approval:

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1. Continued Petition of Edward McPherson, applicant, and City of Newport, owner, regarding Master Plan Approval of a Major Subdivision of 435 Broadway AP 6 Lot 11 into five (5) lots: one (1) lot of 41,939 sq. ft. for a school of limited instruction and four (4) residential lots between 9,000 and 10,000 sq. ft. each

A motion to accept the application and neighborhood presentation as findings of fact was made by Ms. Pattavina and seconded by Secretary Brooks. It passed unanimously.

A motion to accept Exhibits A-C as findings of fact was made by Ms. Pattavina and seconded by Vice-Chair Barry. It passed unanimously.

Upon a motion by Ms. Pattavina, seconded by Secretary Brooks, the Board voted unanimously to accept Exhibits D and E as findings of fact.

Upon a motion by Ms. Pattavina, seconded by Vice-Chair Barry, the Board voted unanimously to accept the staff report, minus the requisite findings for a decision, as findings of fact.

Upon a motion by Vice-Chair Barry, seconded by Ms. Pattavina, the Board voted unanimously to adopt the staff report, with their additional commentary, regarding the general purposes of subdivision review ordinances, regulations and rules, as stated in RIGL 45-23-30.

Upon a motion by Ms. Pattavina, seconded by Secretary Brooks, the Board voted unanimously to adopt the staff report, with their additional commentary, regarding the standard provisions, as stated in RIGL 45-23-60(a)(1-5).

Upon a motion by Ms. Pattavina, seconded by Vice-Chair Barry, the Board voted unanimously to grant Master Plan Approval, subject to securing the necessary relief from the Newport Zoning Board of Review.

## B. Demolition Permit Public Hearings and Possible Action:

1. Petition of Mark and Jane Oravec, applicant and owner, regarding demolition of a single-family home at 9 Lee's Wharf, Assessor's Plat 32 Lot 253

The petition was presented by Hannah Pfeiffer, attorney for the applicants. Ms. Pfeiffer indicated the project was being reviewed by the Rhode Island Historic Preservation and Heritage Commission through Coastal Resources Management Council approval. Additional testimony was provided by Susan Horwitz, designer. Board members expressed concern with the loss of a vernacular working waterfront structure and the lack of information regarding the ultimate use of the site. No one participated in the public hearing. Upon a motion by Ms. Pattavina, seconded by Vice-Chair Barry, the petition was continued unanimously to the next meeting, pending the state's response to the historic report (Exhibit C).

## C. Consideration and possible action regarding:

1. Zoning Ordinance amendments

- Height Amendment

A motion to recommend approval to the City Council and direct staff to compile the required findings was made by Secretary Brooks. Seconded by Vice-Chair Barry, it passed unanimously.

- Height Supplemental Amendments

A motion to recommend approval to the City Council and direct staff to compile the required findings was made by Ms. Pattavina. Seconded by Vice-Chair Barry, it passed unanimously.

- **Waterfront Business Height Amendment**

A motion to recommend approval to the City Council and direct staff to compile the required findings was made by Ms. Pattavina. Seconded by Vice-Chair Barry, it passed unanimously.

- **Special Use Permit Amendment**

A motion to recommend approval to the City Council and direct staff to compile the required findings was made by Ms. Pattavina. Seconded by Vice-Chair Barry, it passed unanimously.

- **Variance Amendment**

A motion to recommend approval to the City Council and direct staff to compile the required findings was made by Ms. Pattavina. Seconded by Vice-Chair Barry, it passed unanimously.

D. RIGL 45-22-7(j) required training concerning the effects of development in a flood plain and the effects of sea-level rise

1. Prep-RI Module 2

The Chair directed members to the link to complete the training individually at their convenience.

## VI. Reports

### A. Chair's Report

The Chair is waiting to hear from the Mayor regarding next steps for the innovation district zoning.

### B. Resiliency Liaison's Report

Mr. Allard was not present to give his report.

### C. Staff Report

1. Innovation Zoning: <https://www.brookings.edu/blog/the-avenue/2019/02/21/innovation-districts-and-their-dilemmas-with-place/>

Secretary Brooks noted the interesting components of disconnect, dead zones, and divides, as described in the article. He thought it wise to identify anchor institutions (such as URI or RISD) that could help support the work of the innovation district. Events will also be important to attract visitors to the district.

2. Short-Term Rentals

The administration will be hiring an enforcement officer, as recommend in the report. The Mayor is working on a resolution directing additional tasks to the Planning Board.

3. Subdivision Regulations Amendment

The City Planner is working through some case law issues with the amendments to the regulations and hopes to present to the Board next month.

4. Technical Review Committee Report

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a. Development Plan Review for 10 Washington Square (Bank Newport)

The Technical Review Committee approved development plans for 10 Washington Square at their June 12, 2019 meeting.

5. Administrative Subdivision (lot line) at the request of Thomas M. Dugan & Cheri A. Dugan, applicants and owners, of 79 & 87 Connection Street, AP 39 Lots 25 and 26  
This subdivision was approved by the designated Administrative Officer on June 26, 2019.

6. West Side Master Plan Summit

The Aquidneck Island Planning Commission (AIPC) held a summit to review the 2005 West Side Master Plan and identify areas for continued efforts.

7. AIPC Housing Forum

A report summarizing the AIPC's March Housing Forum has been completed.

8. Recording of Decisions

The City Planner will be preparing decisions for the Chair's signature moving forward. Decisions are the written record of the Board's finding in a petition and are recorded in perpetuity in the Office of Land Evidence Records.

9. Meeting Notices

The City Planner will sign Board members up for meeting notices directly from the Secretary of State Open Meetings portal.

## VII. Adjournment

A motion to adjourn the meeting was made by Vice-Chair Barry and seconded by Ms. Pattavina. The motion passed unanimously.

The meeting adjourned at 8:50 pm.