

8/17/2023

NEWPORT ZONING BOARD OF REVIEW
Monday, August 21, 2023 – 6:30 P.M.

RE-SCHEDULED JULY MEETING AGENDA

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes:

1. April 24, 2023 Draft Minutes
2. May 22, 2023 Draft Minutes
3. June 26, 2023 Draft Minutes

IV. Communications

1. **Action Items –**
 - a. Withdrawal Request – 0 Carroll Avenue
 - b. Extension Request – 108 Catherine
 - c. Extension Request – 16 Old Fort

V. Summary Calendar

1. App. #2023-Jul-002 PETITION OF BRUCE BARTON, applicant and owner, **41 Toppa Blvd.**, TAP 11, Lot 572, (R-10A Zone) for a dimensional variance to construct a trellis in the rear yard, located 8' from the north side yard property line (10' required), increasing the lot coverage from 19% to 21.26% (20% permitted).
Application Materials, May 19, 2023
Staff Report, July 20, 2023
2. App. #2023-Jul-007 PETITION OF BROOKE EATON, applicant and owner, **26 Third Street**, TAP 16, Lot 234, (R-10 Zone, Historic Overlay) for a special use permit and dimensional variance to install an AC condenser located 3' from the west (right) side property line (10' required).
Application Materials, June 9, 2023
Staff Report, July 20, 2023
3. App. #2023-Jul-013 PETITION OF CHRISTOPHER DUNN AND MARY CUMMINGS, applicants and owners, **13 Chestnut Street**, TAP 12, Lot 220, (R-10 Zone, Historic Overlay) for special use permits and dimensional variances to construct a rear deck, located 2'6" from the left (west) side property line, increasing the lot coverage from 42% to 45% (20% permitted).

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Application Materials, June 12, 2023
Staff Report, July 20, 2023

4. App. #2023-Jul-014 PETITION OF MARK AND RHONDA SILVA, applicants and owners, **7 Alpond Drive**, TAP 41, Lot 357, (R-40A Zone) for a dimensional variance to construct an in-ground pool, increasing the lot coverage from 9.5% to 10.7% (10% permitted).
Application Materials, June 12, 2023
Staff Report, July 20, 2023

VI. Abbreviated Summary

1. App. #2023-May-007 Corrected PETITION OF MARK ROTELLA, applicant and owner, **33 Garfield Street**, TAP 7, Lot 280, (R-10 Zone) for a special use permit to remove a rear deck, located 7' from the rear property line, and construct a new, two-story addition at the rear of the existing residence, increasing the lot coverage from 23.6% to 23.7% (20% permitted).
Application Materials, March 31, 2023
Amended Application, May 19, 2023
Staff Report, July 20, 2023
2. App. #2023-Jun-010 PETITION OF PEREGRINE GROUP, LLC, applicant and owner, **50 Memorial Boulevard**, TAP 29, Lot 193, (R-10 Zone), for a special use permit and variances to demolish an existing, non-conforming medical building, and construct a multi-family development, consisting of four detached two-family townhouse structures, requiring a variance to the number of principal residential buildings per lot, and increasing the lot coverage from 16% to 21% (20% allowed).
Application Materials, May 5, 2023
Planning Board – DPR Decision and Memo, July 13, 2023
Staff Report, July 20, 2023
3. App. #2023-Jun-013 PETITION OF MICHAEL AND DANETTE WALSH, applicants and owners, **125 Gibbs Avenue**, TAP 11, Lot 379, (R-10 Zone), for a dimensional variance to demolish an existing single-family dwelling, and construct a new single-family dwelling, with a lot coverage of 23.7% (20% allowed).
Application Materials, May 8, 2023
Staff Report, July 20, 2023
4. App. #2023-Jul-004 PETITION OF MARK AND STACY GEDDIS, applicants and owners, **419 Broadway, Unit 5**, TAP 06, Lot 79, (R-10 Zone) for a special use permit and dimensional variance to construct a new deck and exterior stairs from the 3rd floor unit, increasing the lot coverage from 28% to 30% (20% permitted).

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Application Materials, May 26, 2023
HOA Approval, May 31, 2023
Staff Report, July 20, 2023

5. App. #2023-Jul-006 PETITION OF CHRISTOPHER AND RAMONA STADLER, applicants and owners, **24 Walnut Street**, TAP 12, Lot 081-4, (R-10 Zone, Historic Overlay) for a special use permit and dimensional variance to install a hot tub, increasing the lot coverage from 46% to 48% (20% permitted).

Application Materials, June 6, 2023
HDC Approval Documents, February 23, 2023
Staff Report, July 20, 2023

6. App. #2023-Jul-008 PETITION OF JANET HEALY, applicant and owner, **108 Kay Blvd.**, TAP 11, Lot 719, (R-10A Zone) for a dimensional variance to construct a front porch and an in-ground pool, increasing lot coverage from 17.9% to 22.9% (20% permitted).

Application Materials, June 9, 2023
Staff Report, July 20, 2023

7. App. #2023-Jul-012. PETITION OF 77 BRIDGE STREET LLC, applicant and owner, **0 Bridge Street** (75 Bridge), TAP 16, Lot 060 (R-10 zone, Historic Overlay), for a variance to the dimensional requirements for permission to construct a new two-story single-family dwelling with lot coverage of 23% (20% allowed).

Application Materials, June 12, 2023
Staff Report, July 20, 2023

VII. Appeals

1. APPEAL OF MARK & IDA ARAMLI, owners and applicants; **54 Hammersmith Road**, TAP 43, Lot 54, (R-160 zone); appealing the decision of the Historic District Commission denying the Appellants application for a Certificate of Appropriateness to construct a new single-family dwelling and to modify a historic stone wall. (**Set briefing schedule**)

VIII. Full Hearing Petitions to be Considered

1. *App. #2022-Dec-001. PETITION OF SPRUCE HOMES, LLC, owner and SEAN NAPOLITANO applicant; **0 Carroll Avenue**, TAP 41, LOT 93, (R-10 zone), for a special use permit and dimensional variance to construct a new single-family home with a detached garage on an existing 5,015 sq.ft. lot (10,000 sq.ft. required), with lot coverage of 29% (20% allowed). (**Request to Withdraw**)

2. *App. #2023-Mar-003 Corrected PETITION OF JEREMIAH & HEATHER LYNCH, applicants and owners, **0 Second Street**, TAP 16, Lot 206, (R-10 Zone, Historic Overlay) for dimensional variances to demolish an existing garage and construct a new single-family dwelling, located 5' from the south (left) side property line and 3' from the north (right) property line (10' required for both) and 5' from the rear property line (20' required), with a lot coverage of 44% (20% permitted).
 - Application Materials, February 2, 2023
 - HDC Approval Documents, February 24, 2023
 - Supplemental Material – Jim Houle Report, July 19, 2023
 - Public Comment – Combined, July 20, 2023
 - Staff Report, July 20, 2023

3. *App. #2023-Mar-010, PETITION OF 77 BRIDGE STREET, LLC, applicant and owner, **14 Second Street**, TAP 16, Lot 199, (R-10 Zone, Historic Overlay) for a special use permit and dimensional variances to relocate a single-family dwelling by approximately 26' to the south, construct an addition to the north and a new stair case to the south and west of the residence, located 3.7' from the east front property line (15' required), 8.6' from the west side property line (10' required), increasing the lot coverage from 16% to 27% (20% permitted).
 - Application Materials, February 21, 2023
 - HDC Approval Documents, February 14, 2023
 - Supplemental Material – Jim Houle Report, June 23, 2023
 - Public Comment – Combined, August 17, 2023
 - Staff Report, July 20, 2023

4. *App. #2023-Mar-014 PETITION OF AUDRAIN AUTOMOBILE MUSEUM, LLC, applicant, ARC HTNEWRI001, LLC, owner, **2 Kay Street**, TAP 21, Lot 137, (R-10 Zone, Historic Overlay) for a modification to a special use permit to permanently approve the location for use during the two-day annual Audrain Motor Week for special events.
 - Application Materials, February 24, 2023
 - Supplemental Material – Paige Bronk Report, May 11, 2023
 - Staff Report, July 20, 2023
 - Public Comment – Combined, August 17, 2023
 - Supplemental Staff Report, August 17, 2023

5. App. #2023-Mar-015 PETITION OF NIALL & PETRA NUGENT, applicants and owners, **387 Spring Street**, TAP 32, Lot 142, (R-10 Zone) for a special use permit and dimensional variances to construct one- and two-story additions, located 5'-0" from the west side property line (10' required) increasing the lot coverage from 34% to 41% (20% permitted). (**Continue to 8/28/23 by request of the Applicant**)

6. App. #2023-May-004 PETITION OF CHARIE AND PAUL SAUNDERS, applicants and owners, **37 W. Narragansett Avenue**, TAP 39, Lot 410, (R-10 Zone) for a special use permit and dimensional variances to construct a 2-story addition, located 16'-5" from the rear property line (20' required), increasing the lot coverage from 24.3% to 33.4% (20% permitted).
Application Materials, March 28, 2023
Staff Report, July 20, 2023

IX. Full Hearing Petitions to be Continued

1. App #2019-Aug-1. 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; **0, 1, 16 & 25 Waite's Wharf, 23 Coddington Wharf, and 20 West Extension Street**, TAP 32, Lots 155, 267, 268, 272, 248, & 293, (WB zone); 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). (**Continue to Special Meeting on 9/18/23**)
2. *App. #2023-Mar-013 PETITION OF ANTHONY LORUSSO, applicant and owner, **37 Wellington Ave**, TAP 39, Lot 137, (R-10 Zone) for a special use permit and dimensional variances to construct a three-story addition, located 4'-2" from the north front property line (15' required), increasing the lot coverage from 22.9% to 33.9% (20% permitted). (**Continue to 8/28/23 by request of the Applicant**)
3. *App. #2023-Apr-002 PETITION OF BMT, LLC, Lessee, CAM, LLC, applicants and owner, **206 Thames Street**, TAP 24, Lot 157, (GB Zone) for a special use permit and dimensional variances to make modifications to an existing restaurant, adding 1,546 square feet of service area, located partially outdoors, adding a stairwell that increases the lot coverage from 91.1% to 94%, and providing zero additional parking spaces (11 additional spaces required). (**Continue to 8/28/23**)
4. App. #2023-Apr-004 PETITION OF STEVEN MCCAULEY, applicant, and STEVEN MCCAULEY, TINKA MCCAULEY, ALEKSANDER PLAKU, AND LEOPOLD MARTINI, owners, **668 Thames Street**, TAP 40, Lot 027, (LB Zone) for a special use permit to convert one two-bedroom unit in a three-unit building to a guest house. (**Continue to 8/28/23**)
5. App. #2023-Apr-005 PETITION OF DAVID PLATT, applicant and owner, **70 Bridge Street**, TAP 16, Lot 078, (R-10 Zone, Historic Overlay) for a special use permit, dimensional variance, and

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regulatory variance to construct a second principal residential building on a property, increasing the lot coverage from 18% to 26% (20% permitted). **(Continue to 8/28/23)**

6. *App. #2023-Apr-007 PETITION OF DANA PICKUP, applicant, and JULIA HOGAN, owner, **38 Simmons Street**, TAP 39, Lot 315, (R-10 Zone) for a special use permit and dimensional variances to remove a rear entry and bulkhead and construct a 14'x16' rear deck, located 16' from the rear property line (20' required), increasing the lot coverage from 31.3% to 38.4% (20% permitted). **(Continue to 8/28/23)**
7. App. #2023-May-002 PETITION OF ADRIAN PREZIOSO, applicant and owner, **24 Byrnes Street**, TAP 35, Lot 061, (R-10 Zone) for a special use permit and dimensional variances to 1) expand a front porch, located 1'10" from front property line, 2) construct a rear addition, located 2'-1" from the side property line (10' required) and 5'-7" from the rear property line (20' required), and 3) add a deck partially within the rear setback, increasing the lot coverage from 28.5% to 39.5% (20% permitted). **(Continue to 8/28/23)**
8. App. #2023-May-003 PETITION OF FRED ROY, applicant and owner, **43 Palmer Street**, TAP 41, Lot 163 (R-10 Zone) for a special use permit and dimensional variance to construct a detached carport over an existing driveway, located 2' from the front property line (20' required) and 3' from the side property line (10' required), increasing the lot coverage from 30.8% to 39.25%. **(Continue to 8/28/23)**
9. *App. #2023-May-005 PETITION OF LOUIS FRANCHI, applicant, FAMS 69, LLC, owner, **69 Carroll Avenue**, TAP 41, Lot 211, (R-10 Zone) for a special use permit and dimensional variance to construct a one-story mudroom addition, increasing the lot coverage from 28% to 30.3% (20% permitted). **(Continue to 8/28/23)**
10. *App. #2023-May-008 PETITION OF BRENT & VICTORIA GEORGE, applicants and owners, **448-450 Thames Street/3 Howard Street, Unit 2**, TAP 32, Lot 075-2, (LB Zone) for a special use permit to convert the existing residential unit into a guest house. **(Continue to 8/28/23)**
11. App. #2023-May-009 PETITION OF DANIEL J. HUGHES, applicant and owner, **169 Wellington Avenue**, TAP 42, Lot 002, (R-120 Zone; Historic Overlay) for dimensional variances to permit construction of an in-ground pool and a pickleball court located 13'-3 ½" from the Chastellux Avenue front property line (75' required), increasing the lot coverage from 7.3% to 9.4% (8% permitted). **(Continue to 8/28/23)**
12. App. #2023-May-010 Corrected PETITION OF RED HOUSE MANAGEMENT, LLC, applicant and owner, **89 Thames Street**, TAP 17, Lot 236, (GB Zone) for a regulatory variance to provide the required four (4) parking spaces for a four-bedroom guest house on the neighboring property at 6

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West Marlborough Street (required parking must be provided on the subject property). **(Continue to 8/28/23)**

13. *App. #2023-May-013 PETITION OF 52-56 THAMES STREET, LLC, applicant and owner, **52-56 Thames Street**, TAP 17, Lot 074, (GB Zone; Historic Overlay) for dimensional variances to convert an existing two-family residence to two guest houses with five bedrooms without providing additional parking (1 additional required), without providing the 24' access driveway, and requiring backing out into the right-of way, and a special use permit to construct a roof deck on a non-conforming property. **(Continue to 8/28/23)**
14. *App. #2023-Jun-006 PETITION OF LAURA TREONZE, applicant and owner, **69 Third Street**, TAP 12, Lot 024, (R-10 Zone, Historic Overlay), for a special use permit and dimensional variances to remove a raised patio and side porch, and construct a new, detached 1 ½-story garage, located 11" from south (side) property line (10' required), increasing the lot coverage from 30.7% to 35% (20% allowed). **(Continue to 8/28/23)**
15. *App. #2023-Jul-001 PETITION OF ANNA AND BRUCE BARBIERI, applicants and owners, **47 Eustis Avenue**, TAP 11, Lot 337, (R-10A Zone) for a special use permit and dimensional variances to construct a new dining room addition, placed 6.4' from the Taber Street front property line (15' required), increasing the lot coverage from 27.5% to 32% (20% permitted). **(Continue to 8/28/23)**
16. *App. #2023-Jul-009 PETITION OF IGOR SOKOL, applicant and owner, **232 Ocean Avenue**, TAP 41, Lot 101, (R-120 Zone, Historic Overlay) for a special use permit and dimensional variances to install two condenser units in the front yard, one 7' and one 51' from the front property line (75' required), and install an in-ground pool, increasing the lot coverage from 8.4% to 8.7% (8% permitted). **(Continue to 8/28/23)**
17. *App. #2023-Jul-015 PETITION OF SEAN MALONEY AND MARGARET CHAI MALONEY, applicants and owners, **275 Harrison Avenue**, TAP 44, Lot 121, (R-160 Zone, Historic Overlay) for a special use permit and dimensional variance to construct a detached carriage house 16' from the front property line (100' required). **(Continue to 8/28/23)**

X. Inactive Petitions & Appeals:

1. Appeals Awaiting Transcripts or Briefs:

1. APPEAL OF MARK & IDA ARAMLI, owners and applicants; **54 Hammersmith Road**, TAP 43, Lot 54, (R-160 zone); appealing the decision of the Historic District Commission denying the Appellants application for a Certificate of Appropriateness to construct a new single-family dwelling and to modify a historic stone wall. **(Awaiting Briefs)**

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2. Petitions Pending Other Board Decisions (Continued Generally)

1. App #2022-Mar-15. PETITION OF JOHN & KATHLEEN TRENTOS, applicant and owner; **93 Second Street**, TAP 9, Lot 320, (R-10 zone); for a special use permit and a variance to the dimensional requirements for permission to demolish and construct a new single-family dwelling which will be located 3.5' from the north property line, (10' required), and construct a detached shed which will be located 2.6' from the south property line and 2.7' from the east property line, (10' required). Said proposal to increase the lot coverage from 17% to 35%, (20% allowed). (**Continue pending HDC Review**)
2. App. #2022-Oct-11. PETITION OF COACH HOUSE CONDOMINIUM ASSOCIATION, applicant and owner; **103-121 Coggeshall Avenue**, TAP 37, Lot 100, (R-10A zone); for a special use permit and a variance to the dimensional requirements to allow a major subdivision to create a separate lot for Unit 10 with an existing dwelling located 9' from front property line (15' required). (**Pending Planning Board review**)
3. App. #2023-Jul-017 PETITION OF LEDGES 66, LLC, applicant and owner, **66 Ocean Ave**, TAP 41, Lot 400, (R-120 Zone, Historic Overlay) for dimensional variances to permit the retention of two accessory buildings located 62.7' front the front property lines of two properties created through a subdivision (75' required). (**Pending Planning Board review**)

3. Other Inactive Petitions

1. *PETITION OF BP REALTY, LLC, applicant and owner; **Banisters Wharf**, DBA The Black Pearl, TAP 24, Lot 276, (WB zone); 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).
2. 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).

XI. 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 re-access the agenda and their ability to reach the remaining items pending before it.

The Board will not entertain/begin a new petition after 10:00 p.m. and will conclude all hearings at 10:30 p.m. therefore some petitions cannot be heard due to these time constraints and will be continued to the next regular meeting date.

Please send any inquiry to Nick Armour, Zoning Officer, at narmour@cityofnewport.com or call (401) 845-5452