

10/19/2023

NEWPORT ZONING BOARD OF REVIEW
Monday, October 23, 2023 – 6:30 P.M.

I. Call to Order

II. Roll Call and Determination of Quorum

III. Minutes:

1. August 21, 2023 Draft Minutes
2. August 28, 2023 Draft Minutes
3. September 25, 2023 Draft Minutes

IV. Communications - None

V. Summary Calendar

1. App. #2023-Sept-002 PETITION OF ELIZABETH MINEO, applicant, YOUNG FAMILY TRUST, owner, **60 Merton Road**, TAP 31, Lot 115 (R-10 Zone) for a special use permit and dimensional variance to construct a one-story 180 sq.ft. addition, increasing the lot coverage from 28% to 31% (20% allowed).
Application Materials, July 25, 2023
Supplemental Plans, September 15, 2023
Staff Report, October 19, 2023
2. App. #2023-Sept-007 – PETITION OF PHILLIP III AND BOZENA CABAUD, applicants, 673 BELLEVUE, LLC owner, **673 Bellevue Avenue**, TAP 38, Lot 022, (R-60 Zone, Historic Overlay) for a special use permit and dimensional variance to construct a staircase to a second floor deck on the carriage house, increasing the lot coverage from 10.64% to 10.88% (10% allowed). (**Continue to 11/27/23 to Re-Advertise**)
3. App. #2023-Oct-003 PETITION OF NEWPORT RESTORATION FOUNDATION, applicant and owner, **680 Bellevue Avenue**, TAP 38, Lot 026, (R-60 Zone; Historic Overlay) for a dimensional variance to reconstruct a 40 sq.ft. museum security shack located 38' from the front property line (50' required).
Application Materials, August 29, 2023
Staff Report, October 19, 2023

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4. App. #2023-Oct-005 PETITION OF MATTHEW RAMIREZ, applicant and owner, **37 Thurston Avenue**, TAP 07, Lot 108, (R-10 Zone) for a special use permit and dimensional variances to demolish an existing detached accessory structure and overhang, and reconstruct the 160 sq.ft. accessory structure 2 ½' from the side property line and 3 ½' from the rear property line (10' required for both), reducing the lot coverage from 35% to 30.5% (20% allowed).
Application Materials, September 5, 2023
Staff Report, October 19, 2023
5. App. #2023-Oct-007 PETITION OF ALMA MANXHARI, applicant and owner, **110 Champlin Place North**, TAP 20, Lot 126, (R-10A Zone) for re-approval of a special use permit and dimensional variances to construct a second-floor rear addition located 2.9' from the south (side) property line (10' required) and front dormer addition located 4' from the south (side) property line (10' required), increasing the lot coverage from 21.3% to 23.6% (20% allowed).
Application Materials, September 11, 2023
Staff Report, October 19, 2023

VI. Abbreviated Summary

1. Corrected 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 variance to the dimensional requirements to allow a major subdivision to create a separate lot for Unit 10 with an existing dwelling on Parcel B, resulting in a 7' side setback to the stairs of the existing condominium building on Parcel A (10' required).
Application Materials, September 26, 2022
Planning Board Memorandum, September 20, 2023
Staff Report, September 21, 2023
Corrected Application, September 29, 2023
Supplemental Staff Report, October 19, 2023
2. Amended App. #2023-Aug-004 PETITION OF 6 KERIN'S TERRACE, LLC, applicant and owner, **6 Kerins Terrace**, TAP 40, Lot 455, (R-10A Zone) for a dimensional variance to demolish the existing single-family dwelling and construct a new single-family dwelling, located 7' from the east side property line (10' required) and 10.8' from the front property line (15' required).
Application Materials, June 29, 2023
Supplemental – Survey, August 2, 2023
Letter of Objection – Fougere, August 23, 2023
Amended Application, September 17, 2023
Withdrawal of Objection – Fougere, October 9, 2023
Staff Report, October 19, 2023

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3. App. #2023-Sept-006 PETITION OF NRI 104-108 GIRARD PARTNERSHIP applicant and owner, **102-108 Girard Avenue**, TAP 03-011, (R-10 Zone) for modification to a special use permit and dimensional variance to move an approved multi-family building to be placed 6 feet from a side property line (10' required).
Application Materials, August 10, 2023
Staff Report, October 19, 2023
4. App. #2023-Oct-001 PETITION OF STEVE RANDLE, applicant and owner, **8 Narragansett Avenue**, TAP 35, Lot 216, (R-10 Zone) for a special use permit and dimensional variances to construct a 160 sq.ft. accessory shed, located 3' from the side property line and 5' from the rear property line (10' required for both), increasing the lot coverage from 38.8% to 44.1% (20% allowed).
Application Materials, August 24, 2023
Staff Report, October 19, 2023
5. App. #2023-Oct-002 PETITION OF LIAM McDERMOTT, applicant, PATRICIA PHELAN (LIFE TENANT), owner, **16 Old Fort Road**, TAP 41, Lot 177, (R-10 Zone) for an extension to a special use permit to continue to operate a 2-bedroom guest house with no additional parking.
Application Materials, August 28, 2023
Planning Board Memo, November 8, 2018
Staff Report, October 19, 2023
6. App. #2023-Oct-004 PETITION OF LAWRENCE WEBMAN and MICHAEL CREAMER, applicants and owners, **15 Sheffield Avenue**, TAP 10, Lot 177, (R-10 Zone) for a special use permit and dimensional variances to construct second floor dormers, located 3.7' from the east (left) and west (right) property lines (10' required for both), adding rear decks to the first and second floor, located 3.7' from the side property line, increasing the lot coverage from 20.4% to 22.7%. (**Continue to 11/27/23 to Re-Advertise**)
7. App. #2023-Oct-013 PETITION OF BEACON ROCK, LLC, applicant and owner, **147 Harrison Avenue**, TAP 41, Lot 001, (R-120 Zone, Historic Overlay) for a special use permit and dimensional variance to install and construct a generator and generator pit, located 8 1/2' from the front property line (75' required).
Application Materials, September 11, 2023
Staff Report, October 19, 2023

VII. Appeals

APPEAL OF SHAWN AND DEBBIE SWEENEY, appellants and owners; 48 Everett Street, TAP 22, Lot 022, (R-10 zone); appealing the decision of the Historic District Commission denying permission to replace a slate roof with a composite slate roof. (**Awaiting Reply Brief from HDC Planner**)

VIII. Full Hearing Petitions to be Considered

1. *Amended 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 3' 4 ¾" from the rear property line (5' required), that increases the lot coverage from 91.1% to 94%, and providing zero additional parking spaces (11 additional spaces required).
 - Application Materials, March 03, 2023
 - Supplemental – Traffic Report, September 19, 2023
 - Supplemental – Original and Updated Screening Plan, September 19, 2023
 - Public Comment – Combined, September 21, 2023
 - Staff Report, September 21, 2023
 - Amended Application, September 29, 2023
 - Supplemental – Jim Houle Report, October 12, 2023
 - Supplemental – Background on Property, October 12, 2023
 - Withdrawal of Objection – Muscaro, October 17, 2023
 - Supplemental Staff Report, October 19, 2023

2. *Amended 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 without providing a manager parking space.
 - Application Materials, March 10, 2023
 - Amended Application, September 12, 2023
 - Planning Board Memo, September 21, 2023
 - Public Comment – Combined, October 19, 2023
 - Staff Report, October 19, 2023

3. *Corrected 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 required for use, 1 required for manager space), 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.
 - Application Materials, April 10, 2023
 - Supplemental – Site Plan, October 18, 2023
 - Supplemental – Parking Analysis, October 19, 2023
 - Public Comment – Combined October 19, 2023
 - Staff Report, October 19, 2023

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4. *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).
Application Materials, June 12, 2023
Supplemental – Houle Report, October 18, 2023
Public Comment – Combined October 19, 2023
Staff Report, October 19, 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 Waites 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 2nd Special Meeting on 11/20/23**)
2. Amended 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 5' from the north property line, (10' required), and construct a detached shed which will be located 4' from the north property line and 4' from the east property line (10' required for both), establishing the lot coverage of 35.4% (20% allowed). (**Continue to 11/27/23 to Re-Advertise**)
3. *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 regulatory variance to construct a second principal residential building on a property, increasing the lot coverage from 18% to 26% (20% permitted). (**Continue to 11/27/23 to Re-Advertise**)
4. *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 11/27/23 to Re-Advertise**)

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5. *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 11/27/23 by request of the applicant)**
6. *App. #2023-Jul-011 PETITION OF 49 & A HALF THIRD STREET, LLC, applicant and owner **49 ½ Third Street**, TAP 12, Lot 269, (R-10 Zone, Historic Overlay) to demolish an existing single-family dwelling and detached garage and construct a new single-family dwelling and attached garage, located 5'8" from the north side property line, 3'6" from the east side property line (10' required for both), construct a bulkhead 4'9" from the north side property line and two AC condensers 4'3" from the north side property line (10' required for both), establishing a lot coverage of 39% (20% allowed). **(Continue to 11/27/23)**
7. App. #2023-Sept-008 PETITION OF ROBERT & KATHLEEN QUTUB, applicants and owners, **437 Bellevue Avenue**, TAP 36, Lot 008, (R-60 Zone, Historic Overlay) for a special use permit and dimensional variances to construct an in-ground pool located 21'-2.5" from the Webster Street front property line (50' required), replace an existing mudroom entry stairs with covered entry, extend the kitchen entry porch, add new rear stairs to the patio, and add an outdoor kitchen and grill counter, increasing the lot coverage from 12.87% to 15.47% (10% allowed). **(Continue to 11/27/23)**
8. *App. #2023-Sept-009 PETITION OF WILLIAM AND LISA COLLINS, applicants and owners, **5 Waites Wharf**, TAP 32, Lot 158, (WB Zone) for a special use permit and dimensional variances to convert an existing single-family dwelling to a four bedroom guest house, providing zero additional parking spaces (2 additional needed for bedrooms and 1 needed for manager space), without complying with commercial parking space standards, including minimum driveway aisle width, 24' access driveway aisle, and maneuvering into the right-of-way. **(Continue to 11/27/23)**
9. *App. #2023-Sept-011 PETITION OF TIMOTHY and ROBERTA HARRINGTON, applicants and owners, **85 Pope Street**, TAP 32, Lot 103, (R-10 Zone) for a special use permit and dimensional variance to install AC condensers located 0' from the East Street front property line (15' required). **(Continue to 11/27/23)**
10. App. #2023-Oct-012 PETITION OF HARBOUR REALTY, LLC, applicant and owner, **25 Waites Wharf**, TAP 32, Lot 155, (GB Zone) for a retroactive approval request for a special use permit to operate a 378 sq.ft. commercial outdoor recreation facility (axe throwing). **(Continue to 11/27/23)**

X. Inactive Petitions & Appeals:

1. Appeals Awaiting Transcripts or Briefs:

1. APPEAL OF MARK & IDA ARAMLII, owners and applicants; **54 Hammersmith Road**, TAP 43, Lot 54, (R-160 zone); appealing the decision of the Historic District Commission denying

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the Appellants application for a Certificate of Appropriateness to construct a new single-family dwelling and to modify a historic stone wall. (Awaiting Briefs)

2. Petitions Pending Other Board Decisions (Continued Generally)

1. 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**)
2. App. #2023-Oct-006 PETITION OF CHRISTOPHER DiNAPOLI, owner, CHRISTOPHER and BETHANY DiNAPOLI, owners, **287 Gibbs Avenue**, TAP 23, Lot 047, (R-20 Zone) for dimensional variances triggered after proposed subdivision, resulting in a sunken patio and an outdoor grill placed 6 ½' from the side property line (15' and 10' required respectively), resulting in a lot coverage of 21.8% (15% allowed). (**Pending HDC**)
3. App. #2023-Oct-008 PETITION OF TERESA and JOHN KOKULIS, applicants and owners, **9 Cliff Terrace**, TAP 31, Lot 131, (R-10 Zone) for a special use permit and dimensional variance to construct a 25 sq.ft. side entry addition, increasing the lot coverage from 38.9% to 39.3% (20% allowed). (**Pending HDC**)
4. App. #2023-Oct-011 PETITION OF PATRICK KILROY, TRUSTEE, applicant, BONNIE B. KILROY, TRUST, owner, **9 Beacon Hill Road**, TAP 41, Lot 006, (R-40 Zone; Historic Overlay) for a special use permit, dimensional variances, and a regulatory variance to the allowable number of principal dwelling units on a single property, to construct a new single-family dwelling on a property containing 6 existing dwelling units, located 35' from the Beacon Hill Rd. front property line and 20' from the Pen Craig Place front property line (50' required for both). (**Pending HDC**)

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:

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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-assess 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