

Posted 4/20/2023

**NEWPORT ZONING BOARD OF REVIEW**  
**Monday, April 24, 2023 – 6:30 P.M.**

**MEETING AGENDA**

**I. Call to Order**

**II. Roll Call and Determination of Quorum**

**III. Minutes:**

1. February 13, 2023 – Special Meeting
2. February 27, 2023 – Regular Meeting

**IV. Communications**

1. **Action Items - None**

**V. Summary Calendar**

1. App. #2023-Mar-009 PETITION OF RICH OSLO, applicant and owner **21 Hope Street**, TAP 11, Lot 120, (R-10 Zone) for a special use permit and dimensional variance to place an integrated bulkhead 11' from the rear property line (15' required), increasing the lot coverage from 32.1% to 32.5% (20% permitted).  
Application Materials, February 21, 2023  
Staff Report, April 20, 2023
2. App. #2023-Apr-001. PETITION OF CURTIS SPEER, Lessee, KARL NURSE, owner, **35 Broadway**, TAP 17, Lot 160 (GB zone), for a special use permit and a variance to the dimensional requirements to convert an existing office space to retail (art gallery), providing zero additional parking spaces (1 additional required).  
Application Materials, March 3, 2023  
Staff Report, April 20, 2023
3. App. #2023-Apr-003 PETITION OF NANNETTE HERRICK, applicant, CHERRY COTTAGE, LLC, owner, **363 Gibbs Ave**, TAP 23, Lot 159 (R-20 Zone, Historic Overlay) for a special use permit and dimensional variance to construct a plunge pool, increasing the lot coverage from 15.61% to 16% (15% permitted).  
Application Materials, March 10, 2023  
Staff Report, April 20, 2023

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4. App. #2023-Apr-006 PETITION OF DOUGLAS COLSON, applicant and owner, **2 Berkeley Terrace**, TAP 33, Lot 080, (R-10 Zone) for a special use permit and dimensional variance to construct a second story addition, located 14'-6" from the rear property line (20' required), increasing the lot coverage from 38.75% to 42.3% (20% permitted).  
Application Materials, March 13, 2023  
Objection and Withdrawal of Objection, April 13, 2023  
Staff Report, April 20, 2023
5. App. #2023-Apr-008 PETITION OF TYLER BERNADYN, applicant and owner, **6 Curry Avenue**, TAP 07, Lot 586, (R-10 Zone) for a special use permit and dimensional variance to place a condenser 7' from the side property line (10' required).  
Application Materials, March 20, 2023  
Staff Report, April 20, 2023

## **VI. Abbreviated Summary**

1. App. #2022-Nov-002. Corrected 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 a variance to dimensional requirements to construct a detached garage, located 0' from front property line (75' required).  
Application Materials, October 12, 2022  
Objection – Wilson, November 23, 2022  
Amended Application, December 15, 2022  
Withdrawal of Objection – Wilson, January 18, 2023  
Amended Application, February 27, 2023  
Approved Certificate of Appropriateness, March 28, 2023  
Staff Report, April 20, 2023
2. App #2023-Mar-004 PETITION OF NEWPORT RESTORATION FOUNDATION, applicants and owner, **46 Clarke Street**, TAP 24, Lot 093, (GB Zone, Historic Overlay) for a special use permit to convert an existing single-family home to a historical institution.  
Application Materials, February 6, 2023  
Planning Board Memo, April 19, 2023  
Public Comment – Combined, April 20, 2023  
Staff Report, April 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. **(Continue to 5/22/2023 to set briefing schedule)**
2. App. #2023-Jan-010. APPEAL OF WILLIAM F. VARR, III, VICTORIA A. MORRO, AND CHRISTINE W. SMITH, appellants, JOHN & KATHLEEN TRENTOS, owners, **93 Second Street**, TAP 9, Lot 320 (R-10 Zone, Historic Overlay), appealing the decision of the Historic District Commission approving the owners' application for a Certificate of Appropriateness to construct a new single-family dwelling. **(Oral Arguments)**
  - Motion of Appeal, December 21, 2022
  - Original HDC Certificate of Appropriateness Application, August 1, 2022
  - HDC Transcript, September 29, 2022
  - HDC Transcript, November 15, 2022
  - Recorded HDC Decision, December 14, 2022
  - Memo in Support of Appeal, March 30, 2023
  - Appellee's Brief in Opposition to Appeal, April 10, 2023

## VIII. Full Hearing Petitions to be Considered

1. \*App. #2023-Mar-007 PETITION OF GEORGE BRINUS, applicant and owner, **11 Warner Place**, TAP 13, Lot 171, (R-10 Zone) for a dimensional variance to place a storage shed 1'-0" from the side and rear property lines (10' required for both).
  - Application Materials, February 16, 2023
  - Public Comment – Combined, March 24, 2023
  - Supplemental Material – Project Revision, April 15, 2023
  - Supplemental Photo, April 15, 2023
  - Support Letter – Rowland Chase, April 15, 2023
  - Revised Staff Report, April 20, 2023
2. \*App. #2023-Mar-008 PETITION OF JONATHAN BERGMANN, applicant and owner, **78 Ayrault Street**, TAP 22, Lot 121, (R-20 Zone) for a special use permit and dimensional variances to remove and replace a wood deck with a stone patio, construct a bedroom addition located 11' from North front property line (23' required), entrance portico, and covered entrance; construct a pool, and construct an equipment shed 4' from property line (10' required), increasing lot coverage from 16% to 25.8% (15% permitted).
  - Application Materials, February 17, 2023
  - HDC Approval Packet, February 22, 2023
  - Public Comment – Combined, March 24, 2023
  - Staff Report, March 24, 2023

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3. \*App. #2023-Mar-012 PETITION OF CHRISTINE FOSTER, applicant and owner, **39 Holland Street**, TAP 35, Lot 112, (R-10 Zone) for a special use permit and dimensional variances to reconstruct the front entry stair, add an entry portico located 0'-9" from the front property line (15' required), construct a 3<sup>rd</sup> floor addition 3'-2" from the west side setback (10' required), add a roof deck reaching a height of 34'-11 1/2" (30' permitted), increasing the lot coverage from 28% to 33% (20% permitted).  
Application Materials, February 24, 2023  
Public Comment – Combined, March 24, 2023  
Staff Report, March 24, 2023
4. App. #2022-Oct-10. PETITION OF THOMAS & CHERI DUGAN, applicant and owner; 79 Connection Street, TAP 39, Lot 026, (R-10 zone); for a special use permit and a variance to the dimensional requirements for permission to extend exterior stairs and construct additional story with attic, reducing front setback from 9.6' to 7.6' (15' required); Also, to add 6'x12' shed, located 2' from rear and side property line (10' required); increasing lot coverage from 36% to 40% (20% allowed).  
Application Materials, September 26, 2022  
Supplemental Material – Neighbor Setbacks, March 22, 2023  
Staff Report, March 23, 2023  
Supplemental Material – Flood Elevation Certificate, April 17, 2023  
Supplemental Material – Site Plan, April 17, 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 for Control. Set Special Meeting date(s)**)
2. \*App. #2022-Jul-4. PETITION OF JOHN-PAUL & NICOLE SHEVORY, applicants and owners; **11 W. Narragansett Avenue**, TAP 39, Lot 64, (R-10 zone); for permission to reconfigure the front porch and stairs, add two dormers along the third floor north and south roof lines; add a rear addition to the south side of the existing structure; and add a rear exterior porch and staircase to the side of the house. Said additions to be located 2.25' from the west property line and 8.2' from the east

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property line, (10' required), and will increase the lot coverage from 38% to 49.4%, (20% allowed).  
**(Continue to 5/22/23)**

3. \*App. #2022-Oct-5. PETITION OF DONALD & TRACY FITCH, applicant and owner; **2 Ashurst Place**, TAP 19, Lot 113, (R-10 zone); for a special use permit and a variance to the dimensional requirements to construct a third floor dormer, a roof deck, and access stairs, located 3.8' from the side property line (10' required) and 6.2' from the front property line (15' required), which increase the height from 30.5' to 35.25' (30' limit), and construct an expanded stairs, which increase the lot coverage from 32% to 33% (20% limit). **(Continue to 5/22/23)**
4. \*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). **(Continue to 5/22/23)**
5. App.#2022-Dec-002. PETITION OF MARGARET CHAI-MALONEY AND SEAN 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 3 car garage, located 12' from the front property line (100' required) on an existing 78,571 sq.ft. lot (160,000 sq.ft. required). **(Continue to 5/22/23)**
6. App. #2023-Jan-001. PETITION OF 77 BRIDGE STREET LLC, applicant and owner, **0 Bridge Street (75 Bridge Street)**, TAP 16, Lot 060 (R-10 zone, Historic Overlay), for a variance to the dimensional requirements for permission to construct a new single-family dwelling with a detached garage on an existing 4,988 sq.ft. lot (10,000 sq.ft. required), with a 13' front setback for the dwelling (15' required), with a 1' 1" west side and 1'6" north rear setback (10' required) for the detached garage, and with lot coverage of 32% (20% allowed). **(Continue to 5/22/23)**
7. App. #2023-Jan-002. PETITION OF 77 BRIDGE STREET LLC, applicant and owner, **77 Bridge Street**, TAP 16, Lot 061 (R-10 zone, Historic Overlay), for a variance to the dimensional requirements for permission to construct a new front stair, with a 13'10" front setback (15' required), and a new detached garage, with a 5' west side setback and 6' north rear setback (10' required), and increasing lot coverage from 12% to 24% (20% allowed). **(Continue to 5/22/23)**
8. App. #2023-Jan-007. PETITION OF MARY O'REILLY DEMA REVOCABLE TRUST, applicant and owner, **224 Gibbs Avenue**, TAP 20, Lot 101 (R-10A zone), for a special use permit and a variance to the dimensional requirements for permission to remove existing deck and stairs and construct an addition with a roof deck, with a 10'9" rear setback (20' required) and increasing lot coverage from 36% to 41% (20% allowed). **(Continue to 5/22/23)**

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9. \*App. #2023-Feb-002. PETITION OF WELLINGTON PARTNERS, LLC, applicant and owner, **551 Thames Street**, Unit H3, H4, and H5, TAP 35, Lot 204, (WB Zone) for a modification to a special use permit to allow conversion of an existing transient guest facility containing 51 2-bedroom units (permitting 306 total guests) to 152 1-bedroom units (permitting 304 total guests). **(Continue to 5/22/23)**
10. App. #2023-Feb-011 PETITION OF ANGELINA PATTAVINA, applicant and owner, 468 Thames Street, TAP 32, Lot 121, (LB Zone) for a special use permit to convert one residential unit into a 2-bedroom guest house. **(Continue to 5/22/23)**
11. \*App. #2023-Mar-003 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 both side property lines and rear property line (5' required for all), with a lot coverage of 44% (20% permitted). **(Continue to 5/22/23)**
12. \*App. #2023-Mar-006 PETITION OF IHAB CHAMSEDDINE, applicant and owner, 236 Broadway, TAP 14, Lot 082, (R-10 Zone) for a use variance to permit a fast-food restaurant, and a dimensional variance to provide 0 new parking spaces (1 additional required). **(Continue to 5/22/23)**
13. App. #2023-Mar-010, PETITION OF 77 BRIDGE STREET, LLC, applicant and owner, **14 Second Street**, TAP 16, Lot 120, (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). **(Continue to 5/22/23)**
14. 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. **(Continue to 5/22/23)**
15. \*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 5/22/23)**

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16. 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 5/22/23)**
17. 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 5/22/23)**
18. 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 5/22/23)**
19. 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 5/22/23)**

### **X. Inactive Petitions & Appeals:**

1. **Appeals Awaiting Transcripts or Briefs:** None
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 Appeal of HDC approval)**
  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)**

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### 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](mailto:narmour@cityofnewport.com) or call (401) 845-5452*