

Minutes of the
Newport Zoning Board of Review

A regular meeting of the Zoning Board of Review was held on Monday, September 22, 2025, in the City Hall Council Chambers, 43 Broadway at 6:00 p.m.

PRESENT: Wick Rudd, Chair
David Riley, Vice Chair
Russell Johnson, Secretary
Nicole Shevory
Melissa Pattavina (Alternate)
Richard Berlinsky (Alternate)

ABSENT: Bart Grimes

STAFF PRESENT:
Nicholas Armour, Zoning Officer
Dylan Conley, Assistant City Solicitor
Zachary Cabrera, Assistant Planner

The following meeting minutes were considered and approved by the Board:

- Meeting minutes from August 25, 2025 were approved unanimously.

The following withdrawal requests were considered and approved by the Board

- Request to withdraw the zoning application for 34 Sherman Street was approved unanimously.
- Request to withdraw the zoning application for 57 Gould Street was approved unanimously.

D E C I S I O N S

App. #ZBR-25-81 PETITION OF KEVIN LaFRENIERE, applicant and owner, **16 Mt. Vernon Street**, TAP 21, Lot 081, (R-3 Zone) for dimensional variances to demolish an existing, non-conforming 1-story garage and construct a two-story garage, located 3' from the left side property line (10' required) and 5' from the rear property line (10' required).

The applicant was present to represent the application and there was no opposition to the petition.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The motion was approved unanimously. Staff to write the draft decision.

App. #ZBR-25-69 PETITION OF CORY McCOY, applicant and owner, **35 Elm Street, Unit 2**, TAP 16, Lot 031-B, (R-10 Zone) for a dimensional variance to construct a new 2-car parking area on a multi-family property and a 10-foot-wide driveway, requiring reversing onto the right-of-way (24' required for 2-way traffic).

The applicant was present to represent the application and there was no opposition to the petition.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The motion was approved unanimously. Staff to write the draft decision.

App. #ZBR-25-77 PETITION OF JOHN DOHERTY & LISA FALSO-DOHERTY, applicants and owners, **3 Bush Street**, TAP 21, Lot 156, (R-10 Zone) for dimensional variances to demolish an existing non-conforming rear deck and construct a new rear deck, located 2.5' from the rear property line (4.94' required), decreasing the lot coverage from 52% to 50.5% (35% allowed).

Attorney Tanner Jackson was present on behalf of the applicant to represent the application, and there was no opposition to the petition.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The motion was approved unanimously. Mr. Jackson to write the draft decision.

App. #ZBR-25-78 PETITION OF 2 CHURCH STREET, LLC, applicants and owners, **212 Thames Street, Unit 2nd Floor**, TAP 24, Lot 159, (GB Zone) for a dimensional variance to add a new front balcony, increasing the service area of this standard restaurant (event space) by 134 sq. ft., without providing the required parking (1 additional space required).

Attorney Tanner Jackson was present on behalf of the applicant to represent the application, and there was no opposition to the petition.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The motion was approved unanimously. Mr. Jackson to write the draft decision.

App. #ZBR-25-83 PETITION OF WILLIAM DEINES AND DANIELLE CHIODITTI, applicant and owner, **14 Tews Court**, TAP 26, Lot 047, (R-10 Zone) for dimensional variances to construct an in-ground pool and hot tub, located 5' from the Chapel Street front property line (20' required), increasing the lot coverage from 32.8% to 36.8% (29.06% allowed).

Attorney J. Russell Jackson was present on behalf of the applicant to represent the application, and there was no opposition to the petition.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The motion was approved unanimously. Mr. Jackson to write the draft decision

App. #ZBR-25-75 COSTELLO MICHAEL GAETANO & COSTELLO MARIBETH MCNAMARA, applicants and owners, **12 Hunter Avenue**, TAP 20, Lot 155 (R-10A Zone) for dimensional variances to remove an existing rear deck and construct a new single-story rear addition, located 2.8' from the south side setback (5.12' required), increasing lot coverage from 33.6% to 34% (29.76% permitted).

Attorney Michael Monti was present on behalf of the applicant to represent the application, and there was no opposition to the petition.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The motion was approved unanimously. Mr. Monti to write the draft decision

App. #ZBR-25-85 PETITION OF ANNETTE T. PELLETIER, appellant and owner, and EJ LANNI, appellant, **18 Barney Street and 3 & 4 Barney Court**, TAP 21, Lot 063-4, (R-3 Zone) appealing a Zoning Certificate issued by the Zoning Officer, relating to the number of buildings and legal units on the subject property.

Attorney J. Russell Jackson was present on behalf of the appellants to represent the appeal. Mr. Jackson requested to continue the appeal to the Zoning Board of Review meeting on October 27, 2025. Mr. Riley made a motion to continue the appeal to the Zoning Board of Review meeting on October 27, 2025, seconded by Ms. Shevory. The motion was approved unanimously.

App. #ZBR-25-80 PETITION OF JAMES DUNPHY, applicant and owner, **76 Van Zandt Avenue**, TAP 09, Lot 067, (R-10 Zone) for re-approval of a dimensional variance to construct an attached two-story garage, increasing the lot coverage from 15.3% to 27% (20% allowed).

Attorney Michael Monti was present on behalf of the applicant to represent the application, there was one objector present – Kiersten Morrison. The applicant, Jamie Dela Volpe was also present to represent the application. Mr. Monti explained the application, and explained the person advertised as owning the property had recently sold the property to his clients. Ms. Dela Volpe explained the application and responded to questions from the Board.

James Houle was invited to testify by the Board and responded to several questions from Board members. Following Mr. Houle's testimony, the objector to the petition was invited up to present her objections to the Board and respond to questions from Board members.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The Board discussed and a roll call vote was taken, the motion was approved unanimously. Mr. Monti to write the draft decision.

App. # ZBR-25-50 PETITION OF 8 PECKHAM AVE LLC, applicant and owner, **8 Peckham Avenue**, TAP 07, Lot 131, (R-10 Zone) for special use permits and dimensional variances to construct dormer additions reaching 35' in height (30' limit), located 2.7' from the right-side setback (5' required), adding a third dwelling unit to a two-family dwelling without meeting the minimum lot size for a multi-family property (6,077 sq. ft. existing, where 10,000 sq. ft. is required) and over the allowable density (1 unit per 2,500 sq. ft. permitted, where 2,025 sq. ft. per dwelling is proposed), without providing the 24-foot two-way drive aisle for a multi-family property.

The applicant was present to represent the application, and there were two objectors present at the meeting. Attorney David Martland was also present to represent the application.

Mr. Martland and the applicant explained the application and responded to questions from the Board. The applicant provided background information on the property and how he intends to make use of the subject property.

Following Mr. Martland's testimony, the two objectors present at the meeting were invited to present their objections to the Board. The first objector, Terry Horan, was sworn in, presented his objections and responded to questions from the Board. Following Mr. Horan's testimony, a second objector, Jim Sullivan, was sworn in, presented his objections and responded to questions from the Board.

Mr. Riley made a motion to adopt as the Board's findings of fact the information in the staff report, application, and other documents and adopt as the Board's conclusions of law that the petitioner has met their burden of proof under each element under Chapter 17.108 Variances and Modifications, and that the petition be granted with the conditions that the project be started and substantially completed within 12 months of the date of the decision or any extension requested in writing to the Zoning Officer prior to expiration and granted, and that all outstanding invoices for abutter notification be paid prior to the recording of the decision, seconded by Ms. Shevory. The Board discussed and a roll call vote was taken, the motion was approved 4-1, with four Board members voting to approve, and one vote (Member Riley) voting to deny. Mr. Martland to write the draft decision.

The meeting was adjourned at 9:08 pm.