



**TOWN OF PORTSMOUTH
PLANNING BOARD
2200 East Main Road
Portsmouth, RI 02871
401-683-3717**

**PORTSMOUTH PLANNING BOARD
MONTHLY PROJECT STATUS REPORTS,
ADMINISTRATIVE SUBDIVISIONS AND PLAT PLAN FILINGS**

February 10, 2021

OPEN PROJECTS

- 1. Velocity NBC, LLC PUD – The Newport Beach Club (TNBC), 195 Newport Harbor Dr. Attorney: James Hall 847-1919, AP16, Lot 37 AP17, Lots 8&9 AP22, Lots 2,3,4 & 10 AP23, Lots 18 & 19 Engineer- Northeast Engineers & Consultants 401-849-0810 Lynn Small 401-450-4262
Project: The Newport Beach Club (formerly Carnegie Beach Club)
Single Family units-106, Cabana Suits units-22, Marina Multi-Family units-18, Reserved units-6 for a total of 152 residential units. Pool Cabana units-13, Club House Guest rooms-41, LMI units-10**

Status:

Resubmission of Multifamily and Amenities – July 20, 2013 – Hearing 9/11/2013
Design Modification to Mailbox and Public Restroom – Hearing 8/14/2013
Design Modification #1 to Multifamily Units approved 5/8/2013 – Recorded Bk 1606, Pg194
Final Plan - Approved- 2/8/2012
Approved Final Plan Decision - Recorded- 2/9/2012(BK1521, Pg 176)
Architectural Review Standards - Approved- 2/8/2012
Development Agreement approved 8/20/2012 - Recorded- Bk1566, Pg103
Master Condominium Plans recorded – Index 1418 to 1435
TNBC Tennis Village Condominium Plans recorded - Index 1436 to 1440
Modification #2 – Approved 10/19/2013 – Recorded BK 1630, Pg 317
Design Review Board approved modification to Architectural Review Standard for Single Family Residences – 7/15/2014
Six LMI Housing for Weaver Cove recorded (Declaration of Restriction Bk1678, Pg 162)
Modification to Approved Final Plan approved and recorded in Bk 1606, Pg. 194
Modified Development Agreement recorded in Bk 1730, Pg. 92
Modified Architectural Review Standard for Single Family Residences approved
Third modification approved & recorded Bk 1786, Pg 345
Amendment to First Modification to Development agreement, Bk 1787, Pg 1
Fourth (4th) Modification approved 4/12/2017
Master Unit Plan Set recorded in Index 1714 – 1731
Recorded 4th Modification, Bk1812, Pg. 336
Recorded 2nd Amendment to Development Agreement, Bk1812, Pg. 334
Recorded Drainage Easement- Mare Terrace, BK1812, Pg.321
New Owner – Velocity NBC, LLC, 91 Old Ocean House Rd., Cape Elizabeth, ME 04107 Deed- Bk 1870, Pg.309 recorded 8/14/2018
5th Modification approved 8/14/2019
6th Modification approved 1/8/2020

Items to be completed

Record 6th Modification Decision
Conditions listed in Development Agreement
Condominium Documents & Plans
10 LMI units (6 units at Weaver Cove Bk1678, Pg.162 & 4 units – location to be determined)
36 units sold to date

- 2. Apollo Brothers, LLC – LMI Housing (Seafarer Residences Condominium)
AP 24, Lot 11 - 33 units (9 LMI units)
Attorney- Ken Tremblay 401-683-4800
Engineer- Narragansett Engineers**

Status:

Design Modification approved 6/12/2013
Master Plan recorded as Bk1517, Pg 36
Preliminary & Final Plan approved – 2/8/2012 recorded 3/15/2012 - Bk1527, Pg 314
First Modification of Final Decision recorded as BK 1624, PG 288
Second Modification approved 3/9/2016, recorded Bk 1750, Pg 328

Items to be completed

Record Final Plans and Condominium documents

3. BFL Developers, LLC – Major Sub-Division AP 23, Lot 23 (Bristol Ferry Landing)

David Megna 508-678-5910 cell- 508-245-2811

Joseph Vieira (JMV Realty Trust) 508-962-6749

Streets: Dawn Marie extension, Sloop Drive, Schooner Drive, & Soars Drive

Status:

Modified Road Bond - \$150,000 Mortgage - Recorded BK1506, Pg 107-118 - Approved – 12/14/2011

Received \$115,000 – Sale of lot 62

Road Bond defaulted by Planning Board on 9/10/2014

Released funds to DPW to Complete road construction – Top Coat, monuments, as built drawings and engineering report regarding storm drains

DPW completed paving as part of 2014 fall paving program

Items to be completed

Narragansett Engineering to install Monuments

DPW to complete road construction

DPW inspection report & as-built drawings

4. Anthony & Betty Silvia – Major Subdivision to change lot lines between two non-conforming lots – 36 Clear View Avenue, Attorney – Cort Chappell, Engineer – Mount Hope Engineering:

Status:

Favorable recommendation to Zoning Board

Items to be Completed

Preliminary & Final Plan approval

5. open

6. Sakonnet Bluffs, LLC (Rhode Island Nurseries, Inc) –Major 14 Lot Residential Subdivision – Vanderbilt Lane extension, AP 59, Lot 5 Attorney – Eric Chappell 683-6900, President - Bruce Vanicek, Developer: Donald Huggins 401- 491-9552 Engineer-John Braga 683-0101

Status:

Preliminary Plan approved and recorded as BK 1486, PG 189 on 6/10/2011

Final Plan approved 4/10/2013

Final Plan Decision recorded as Bk 1606, Pg. 189

Hearing – Amount of road bond - \$1,259,260 8/10/2016

Inspection Fee - \$25,185.20 paid

Preconstruction meeting 4/12/2017

1st Modification to Final Plan recorded Bk 1822, Pg.272 8/10/2017

2nd Modification approved 8/9/2017, recorded 9/14/2017 in Bk1827, pg.268

3rd Modification approved 2/20/2018, recorded Bk1847, Pg. 37

Transfer ownership to Sakonnet Bluffs, LLC, deed recorded Bk1847, Pg. 99

Recorded Road Bond – \$1,259,260 Bk1847, Pg.119

Record Easements, Home Owners Association & Restrictions Bk 1847, Pg. 112,103 & 109

Recorded Subdivision Plan Index 1755, 1756 & 1757

Subdivision Conveyed to Sakonnet Bluffs, LLC – Bk1847, Pg.99 (2/22/2018)

Road Bond – Bk 1847, pg. 119 (2/22/2018)

Declaration of Restrictions – Bk1847, Pg.112 (2/22/2018)

Easements – Bk 1847, Pg. 103 & Bk1847, Pg.109

Easement to Portsmouth Water – Bk 1843, pg. 295

CRMC Assent Modification – Bk1855, Pg. 104

Release of Lots recorded- Bk 1861, pg.269 (6/6/2018)

Road Bond reduce 50% (\$629,630.00)

Items to be completed

Approve Road Construction – Vanderbilt extension & Private Road

7. Clock Tower Square, LLC (formerly East Bay Design Commons, Inc.) West Main Rd.

AP 37, Lot 69 (East Bay Design Commons Condominium)

Current owner- Clock Tower Square, LLC, Manager- Tom Graul 316- 2172

Engineer- Northeast Engineers – Lynn Small Attorney – Marc Gertsacov 272-9330

Planned retail/service development

Status

Planning Board on September 12, 2012 reinstated the previously approved Final Amended Decision approved on 2/19/2008 and recorded as BK 1311, Pg 75 conditioned upon approval of the engineering design of the drainage system.

Stormwater drainage problem has not been resolved

No building permits have been issued to complete the last two buildings

Sixth Amendment to East Bay Design Commons Condominium recorded in BK 1558, Pg 84

Title from Hallinan Capital Corporation to Clock Tower Square, LLC recorded in BK1558, Pg 101

Drainage Design approved

Modification to allow Veterinary Clinic approved 6/11/2014, recorded BK1665, Pg. 213

Items to be completed.

Complete construction (See Final Decision for list of conditions imposed by the Planning Board)

Repair retention basin outflow

8. Open

9. Horace Barrett – Administrative Subdivision AP 77, Lots 80 & 81

Status:

Subdivision plan was approved on the representation that the lots were in R20 zone. Lots created are in the R60 zone and do not conform to the R60 requirements. The plan should not have been approved without the approval of the Planning Board and the Zoning Board of Review.

Items to be completed

Resubmit new subdivision plan for Planning Board and Zoning Board of Review approval.

10. McCorrie Lane, LLC (formally Ferreira Farms Land Corp, & Kreg, LLC – Applicant, AP 48, Lot 35, Major Subdivision – 18 lots, Attorney Jeremiah Lynch – 846-0120, Fax- 848-0234

Status

Informational Meeting held 11/14/2018

Master plan approved 1/9/2019

Preliminary Plan approved 8/12/2020

Final Plan approved 10/14/2020 recorded Bk 2020, Pg 215

Road Bond recorded Bk 2025, Pg. 178

Maintenance Easement recorded Bk 2025, Pg. 182

Subdivision Plan recorded Index 1846 & 1847

Pre-Construction Meeting held on 1/20/2021

Items to be Completed

Road construction

11. FLJ Acquisitions, Inc. – Major Subdivision , AP 51, Lot 24, Project; Indian Hill III

President- Frederick C. Lohrum, Jr. 521 Indian Ave, Middletown, RI

Street: Greystone Terrace / Greylock Drive

Road bond: \$320,000 6/23/2003 (Hartford Fire Insurance Co.) Bk 923, Pg 174

Status

Road construction not completed

Certificate of Incorporation revoked 12/12/2011

Case Submitted to Town Solicitor for funds

Letter by David Faucher sent to Hartford Fire Insurance Co dated 11/5/2009

Planning Board defaulted Road Bond (5/9/2012)

Resolved Funding issue with Harford Fire Insurance including inspection fee

Roads paved as part of DPW 2014 paving Program

Items to be completed

DPW to complete road construction

DPW Inspection Report

12. Open

13. Raytheon Company, AP 50, lot 1 – Administrative Subdivision

Attorney – Elizabeth Noonan/ Steven Ucci 401-743-7113 , Engineer- DiPrete Engineering

Status

Administrative Subdivision for lots AP 50, lots 1-1 and 1-2 recoded in Index 1650
Lots 1-1 & 1-2 sold to Gunther K. Buerman, Bk 1777, Pg 288

Items to be Completed

Administrative Merger for the remaining property in AP 50, lot 1

14. Open

15. Michael DeAerruda, AP 47, Lot 33, Administrative Subdivision, Attorney – Eric Chappell

Status

Approve lot created by deed without Planning Board approval

16. Open

17. Open

18. Open

19. Prescott Point, LLC (Freedom Bay) – PUD - Resort - AP 55, Lots 1A Planned Resort Development
139 Portsmouth Units, 20 Middletown Units, 7 LMI units & 48 Assisted Living units - 2547 West Main
Road - Deed- Bk 1430, Pg. 277

Previous Owners – Freebay Holding, LLC, HSH Nordbank and Adult Assisted Care Associates, LLC
Managers: Landing 1 LLC and Hunt ELP LTD (Christopher C. Bicho, 543 Thames St., Newport, RI
02840) (Hunt ELP LTD not registered in RI)

Attorney: Laurant L. Rousseau, Middletown, RI 401-846-0120

Engineer: Lynn Small, Northeast Engineers 401-450-4262

Organizations with Ownership interest:

Prescott Point, LLC owner of AP55, Lot 1A

Prescott Point- Unit 1, LLC owner of Condo Units

Prescott Point – Land Unit 4, LLC owner of Condo units

Landings 1, LLC Development rights to land Unit 1

Prescott Point investor, LLC development rights to Land Units 3,5,6,7,8 & 9

Hunt ELP LTD subsidiary of Hunt Companies, Inc

Prescott Point Condominium Association

Beech Hill at Prescott Point Condominium Association

Beech Hill Condo Units – 59 unit owners

Status

Town Council approved Zoning amendment for Planned Resort Development

Master Plan Application for Planned Resort Development approved, recorded Bk 1721, Pg. 119

Preliminary Plan approved 10/14/2015 recorded Bk1725, pg.281

Requirement for Traffic Light Bond (\$100,000) approved

Final Plan approved 1/11/2017 recorded in Bk 1796, pg. 40

Recorded Development Agreement Bk1813, Pg.135

Prescott Point Hill Condominium documents approved

First Modification approved 9/13/2017 recorded Bk 1841, Pg. 236

First Amendmant to Development Agreement recorded Bk 1843, Pg. 54

Items to be completed

Design Review Board review

LMI units (7)

Complete road construction

20. Highlands at Prescott Point, LLC AP 55, lot 1 (2543 West Main Road), Major Subdivision – 11 lots
Attorney: Laurent Rousseau 846-0120, Fax 848-0234 Engineer: Lyn Small, Northeast Engineers 619-3374
Contractor: Green Hill Builders, Inc – Thomas & Peter Santilli

Status

Master Plan Approved 11/9/2016 recorded in Bk 1792, Pg. 23

Preliminary Plan approved for 11 lots 4/12/2017, recorded in Bk1809, Pg.46

Final Plan approved 6/14/2017

Pre-construction Meeting 7/20/2017

Road Bond - \$400,000 Fee - \$8,000

Recorded Final Plan Decision – Bk 1822, Pg. 276 8/10/2017

Recorded deed transferring title to Highlands at Prescott Point, LLC, Bk 1869, Pg. 55

Street name (Coddington Way) approved

Recorded Final Plan Index 1780 9/12/18

Declaration of Restrictive and protective Covenants, etc. Bk 1874, Pg. 323

Grant of Easement, Bk 1874, Pg. 301
Grant of easements, Bk 1874, Pg. 306
Maintenance agreement and Easements, Bk 1874, Pg. 335
Road Bond Bk 1874, pg. 317 9/12/2018 inspection fee paid - \$8,000
"Stop Work Order" issued by Newport Utilities
First Modification approved

Items to be Completed

Record Release of Lots
Construction of Coddington Way (completion 9/12/20)

**21 BCM Realty Partners, LLC, AP 58, lot 49 (126 & 130 Glen Road & Cutler Court) Major Subdivision (6 lots)
Engineer: John Braga 401-683-0101, Attorney: Larry Rousseau 401-846-0120**

Status

Master Plan approved 9/13/2017 recorded in Bk 1831, Pg. 187
Preliminary Plan approved, recorded Bk1846, Pg.216
Final Plan Decision approved 3/14/2018 & recorded in Bk1863, Pg.184 6/19/2018
Road Bond-\$125,000, fee-\$2,500 – Paid Bk1870, Pg. 127 Agreement Bk 1870, Pg. 114
Pre-Construction Meeting held- 6/19/2018
Recorded Road Bond – Bk1870, Pg. 127
Recorded declaration of Covenants & Restrictions Bk 1870, Pg. 116
Subdivision Plan recorded in Index 1778
Recorded Maintenance Agreement and Easement Bk 1870, pg. 125
Road Bond reduced 50%1/9/2019
Recoded Release of Lots Bk1893, Pg. 166 2/6/2019

Items to be completed

Construction and acceptance of Cutler Court

22 Open
23 Open

**24 Ryan Kirwin, AP 56, Lot 18, 68 Bancroft Drive, Major subdivision – 3 lots (variance for frontage)
Attorney- Eric Chappell 683-6900**

Status

Application for Master Plan approval
Master Plan approved
Advisory Opinion to Zoning Board – variance approved
Preliminary/Final Plan decision approved Bk 1773, pg. 110
Declaration of Easements and Restrictions, Bk 1783, Pg.57
Owners Association, BK 1783, Pg. 60
DEM Stormwater permit RIPDES No. RIR101446, File No. 16-125, Bk 1783, Pg. 61
Stormwater Management Operation and Maintenance Plan, Bk 1783, Pg. 65
Road Bond, Bk 1783, Pg. 88 Road Bond- \$120,190 Inspection Fee- \$2,403.80
Subdivision Plan recorded in Index 1681

Pre-Construction meeting 1/10/2017
Two year extension for road construction approved

Items to be completed

Road Construction – Bancroft Drive extension (completion date: January 11, 2021)

25. Harkins Development Company (Christopher Harkins 413-3099) Portsmouth Heights

AP 63, lot 15 - Major Subdivision – 8 lots

Owner: Philip J. Harkins, 4595 Bacaire Blvd, Boca Raton, FL

Portsmouth Heights (Elm Street) Engineer – John Braga

Location – 66 East Main Road

Status

Informational/Master Plan hearing – 2/13/2013
Master Plan Approved – Decision recorded as Bk 1601, Pg 307
Preliminary Plan Decision recorded as Bk 1632, Pg 285
Final Plan Decision approved 11/12/2014 (See conditions) recorded Bk1700, Pg. 93 on 5/15/2015
Road Bond - \$300,000 Inspection Fee - \$6,000
Declaration of restrictions and easements for stormwater management, Bk 1782, Pg. 261
Final subdivision Plan, Index 1678 & 1679 DOT Bond No. 130611, \$25,610

Pre-Construction meeting 12/1/2016
One year extension for road construction approved
Second one year extension for road construction approved
Road bond reduced 50%
Release of Lots recorded

Items to be completed

Complete Road Construction
Remove trees along road right of way

26. Bay View Apartments, LLC, AP 50A, Lot 2, BV Estates, Inc., AP 50A, Lot 1 and Overlook Point Condominium, AP 50A, Lot 4 - Minor Subdivision – One new Lot

Attorney – Laurant Rousseau 401-846-0120

Status

Approve creation of new lot to be merged into lot 1 in the future
Preliminary and Advisory Opinion approved & recorded in BK 1627, Pg 24
Zoning Board approval recorded BK 1635 Pg 335
Final Plan approved Bk 1655, Pg 259 Recorded subdivision Plan – Index 1555 and 1556

Items to be Completed

Merge new lot into lot 1.

- 27 Open
- 28 Open
- 29. Open
- 30. Open

31. Dean DeMello (662-9854) & We Dig Investments, LLC (Sea Spray Estates) – AP54, lot 17 – Major Subdivision – 7 lots (346 Vanderbilt Lane), Developer – Enrico DiGregorio (DiGregorio Inc. 401-640-4200 or 232-1400)

Attorney – John Mancini 343-7000 Engineer – Northeast Engineers & Consultants- Lyn Small 619-3374 or 849-0810

Status

Informational/Master Plan approved 4/9/2014
Master Plan Decision recorded BK 1665 Pg 215
Preliminary Plan approved & recorded in Bk 1691, Pg 230
Zoning Board variance recoded Bk 1757, pg.196
Final plan approved 3/9/2016
Final Plan Decision approved & recorded Bk 1776, Pg. 184
First Modification approved, recorded Bk 1847, Pg.190 (2/26/2018)
Pre-Construction meeting 12/13/2018
Street name "Sea Spray Drive" approved 1/9/2019
Recording of Subdivision plan continued to 8/27/2019
Road Bond recorded Bk 1897, Pg. 256 (\$475,210.00, Fee-\$9,504.20)
Maintenance Easement recorded Bk 1897, Pg. 243
Assent Modification recorded Bk 1896, Pg.242
Subdivision Plan recorded in Index 1803
Minor modification for reconfiguration of drain per CRMC request 9/11/2019
Release of Lots approved

Items to be completed

Complete construction of Sea Spray Drive

- 32. Open
- 33. Open

**34. Windrock, LLC, AP 48, lot 19 - Major Subdivision for 11 lot subdivision on Windrock Circle
Attorney: Eric Chappell 683-6900 , Applicant: Robert Kielbasa Engineer: Civil Engineering Concepts, Inc. Manager: Kurt Paulton 864-1170**

Status

Master Plan approved, recorded in Bk1721, pg. 124 (10/15 2015)
Preliminary & Final Plan approved 8/9/2017 recorded in Bk1827, Pg. 263, 9/15/2017
Board approved 6 month extension to record Subdivision Plan
Pre-construction meeting held 6/26/2018 Fee paid - \$9,616.00
Subdivision Plans recorded, Index 1794 – 1797 12/31/2018

Road Bond recorded, Bk 1889, Pg. 142 12/31/2018
Declaration of Restrictions, Covenants, Conditions and easements for Stormwater Management System, recorded Bk 1889, Pg. 145 12/31/2018
Declaration of Restrictions and Protective Covenants Governing Subdivision of Land, recorded Bk1890, Pg. 25, 1/9/2019
Articles of Incorporation and By-Laws for Windrock Homeowners Association 1/7/2019
Release of Lots recorded bk 1890, pg. 173, 1/16/2019
Road Bond reduced to \$240,400 (50%)

Items to be completed


Complete construction of Windrock Circle & connection to Ferreira Farms subdivision

OUTSTANDING PUBLIC ROAD CONSTRUCTION PROJECTS

1. **Portsmouth DPW (BFL Developers, LLC) Bristol Ferry Landing, AP 23, lot 23
Dawn Marie extension, Sloop Drive, Schooner Drive and Soars Drive**
2. **Portsmouth DPW (FLJ Acquisitions, Inc) Indian Hill AP 51, lot 24
Madison Way, Greylock Drive and Greystone Terrace**
3. **Portsmouth DPW (Sea Diamond Development Co) Vangel Subdivision, AP 37, lot 7
Devin Drive and Gomes Road**
4. **Harkins Development Company (Portsmouth Heights), AP 63, lot 15
Elm Street (completion: 11/18/ 2020)**
5. **Ryan Kirwin, AP 56, lot 18
Bancroft Drive extension (completion: 1/11/ 2021)**
6. **Rhode Island Nurseries, Inc. (Sakonnet Bluffs, LLC), Sakonnet Bluffs, AP 59, lot 5
Vanderbilt Lane extension (completion: 2/20/2020)**
7. **Highlands at Prescott Point, LLC, AP 55, lot 1
Coddington Way – completion date: 9/12/2020**
8. **Windrock, LLC, AP 48, lot 19
Windrock Circle – completion 12/31/2020**
9. **Joan M. DeMello Trust / We Dig Investments, LLC (Sea Spray Estates), AP 54, lot 49
Sea Spray Drive – completion 5/10/2021**
10. **BCM Realty Partners, LLC, AP 58, lot 49
Cutler Court – Completion date – 10/15/2020**
11. **McCorrie Lane, LLC, AP 48, Lot 35
Ferreira Avenue & Dahlia Way – Completion date- 1/20/2023**

SUMMARY OF ADMINISTRATIVE SUBDIVISIONS AND PLAT PLAN FILINGS

1. McCorrie Lane, LLC – Subdivision Plans recorded in Index 1846 & 1847



Leon C. Lesinski
Administrative Officer