

July 15, 2024

***Via Regular and Electronic Mail***

Coastal Resources Management Council  
Stedman Government Center, Suite 3  
4808 Tower Hill Road  
Wakefield, RI 02879  
[Cstaff1@crmc.ri.gov](mailto:Cstaff1@crmc.ri.gov)

***Re: CMRC File Nos. 2024-02-012 and 2024-06-087, 88 Washington Street, Plat 12, Lot 46  
("Property")***

Dear Coastal Resources Management Council:

This firm is counsel for Newport PM LLC, Karen G. Harris 2003 Living Trust, R. Perry Harris 2003 Living Trust, Edward W. Kane, and Martha J. Wallace (collectively, "Neighbors") and write regarding the above-referenced CRMC Files and Property. The Neighbors object to applicant William J. Ruh Trust's ("Applicant") Application for State Assent ("Application"). Please enter my appearance so that I will receive notices of filings and hearings in this matter. The Neighbors intend to submit substantive briefing and argument should the Application proceed through the CRMC permitting process.

As a preliminary matter, Applicant has *not* received the required local building and zoning approval from the City of Newport. I am aware that CRMC is in receipt of the local approval form dated March 13, 2024. However, that form was submitted in error. The Neighbors have appealed Applicant's local Historic District Commission approval to the Zoning Board of Review, which appeal is pending, and anticipate that the appeal will ultimately require resolution from the courts. The City of Newport's Zoning Officer has acknowledged that the form was submitted in error. Correspondence from the Zoning Officer reflecting same is enclosed with this letter.

I look forward to further submissions should this matter ultimately progress. Please do not hesitate to contact me if you have any questions.



ADLER POLLOCK & SHEEHAN P.C.

Coastal Resources Management Council  
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Sincerely,



Joshua S. Parks  
[jparks@apslaw.com](mailto:jparks@apslaw.com)

Encl.

cc: Jay Lynch, Esq. ([jlynch@mvlaw.com](mailto:jlynch@mvlaw.com))  
Lisa Turner ([lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov))  
Elizabeth Noonan, Esq. ([enoonan@apslaw.com](mailto:enoonan@apslaw.com))  
Joseph DeAngelis, Esq. ([jdeangelis@apslaw.com](mailto:jdeangelis@apslaw.com))

## Parks, Joshua

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**From:** Armour, Nicholas <narmour@CityofNewport.com>  
**Sent:** Friday, July 12, 2024 3:19 PM  
**To:** Parks, Joshua; 'Jay Lynch'  
**Subject:** RE: 88 Washington

Thank you both for working towards a mutual agreement on this one. Not a problem having this short delay. We will look out for the briefs and figure out the appropriate date for the appeal hearing.

On the note of 88 Washington, it was brought to my attention that I signed off on the CRMC application for this project in error. I think I was going to fast and forgot that, while the zoning components of the project were compliant, due to the pending HDC application, I should not have signed off on this application. Jay – I am hoping you can relay this to the owners. It was my mistake and I don't want this to further complicate things while we process the HDC appeal.

Thanks,  
Nick



**Nicholas Armour**, MPA, MUP  
*Zoning Officer*  
City of Newport  
Planning and Development Department  
(401) 845-5452

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**From:** Parks, Joshua <JParks@apslaw.com>  
**Sent:** Friday, July 12, 2024 2:26 PM  
**To:** Armour, Nicholas <narmour@CityofNewport.com>  
**Cc:** 'Jay Lynch' <jlynch@mvlaw.com>  
**Subject:** FW: 88 Washington

Nick – I've got Jay's consent for a two-week extension on the briefs for 88 Washington.  
Have a good weekend,  
Josh

## Our Providence Office is Moving!

We are excited to announce that effective August 1st, our Providence, RI office will be located at 100 Westminster Street, 16th Floor, Providence, RI 02903  
Phone numbers and email addresses will remain the same.

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**JOSHUA S. PARKS**  
V-CARD | BIO | WEBSITE | JParks@apslaw.com



TO: Coastal Resources Management Council  
4808 Tower Hill Road Suite 3  
Wakefield, RI 02879  
Phone: (401) 783-3370



FROM: Building Official

DATE: October 15, 2014

SUBJ: Application of: William Ruh and Lisa Ruh

Location: 88 Washington Street, Newport, RI 02840

Address: 88 Washington Street Plat No. 12 Lot No. 46

To Construct: New Single Family Dwelling

I hereby certify that I have reviewed \_\_\_\_\_ foundation plan(s).

\_\_\_\_\_ plan(s) for entire structure

\_\_\_\_\_ site plans

Titled: \_\_\_\_\_

Date of Plan (last revision): 2/15/24 (site) & 3/13/24 (architectural)

N/A and find that the issuance of a local building permit is not required as in accordance with Section \_\_\_\_\_ of the Rhode Island State Building Code.


X and find that the issuance of a local building permit is required. I hereby certify that this permit shall be issued once the applicant demonstrates that the proposed construction/activity fully conforms to the applicable requirements of the RISBC. *Please note Plans submitted do not appear to be in conformance with RISBC-2 R322 or Ace 24-14 further review required @ permitting 10/15/24*

N/A and find that a Septic System Suitability Determination (SSD) must be obtained from the RI Dept. of Environmental Management.

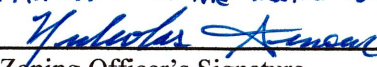
N/A and find that a Septic System Suitability Determination (SSD) need not be obtained from the RI Dept. of Environmental Management.

X and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. The Zoning Board approval shall expire on \_\_\_\_\_.

\*Note: Breakaway walls do not conform to RISBC.

 10/15/24  
Building Official's Signature Date

✓ and find that said plans conform with all elements of the zoning ordinance, and that if said plans require zoning board approval, that the applicant has secured such approval and that the requisite appeal period has passed with no appeal filed or appeal is final. *Historic District Commission approved on 4/29/24. Appealed to Zoning Board. Zoning Board denied appeal on 9/16/24. An appeal of the matter is anticipated. However, no Zoning relief is required, so plans conform to all elements of the zoning ordinance*

 10/3/2024  
Zoning Officer's Signature Date

