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BREAKERS WELCOME CENTER

Preservation Society gets board's approval

The Bellevue Ochre Point Neighborhood Association likely will appeal, its attorney says.

By Sean Flynn
Staff writer

NEWPORT — After an almost two-year approval process, two lawsuits and prolonged controversy in the community, the proposed Breakers visitors center received its final approval before the city's Zoning Board of Review Monday night on a 4-1 vote.

Only a Superior Court or Supreme Court decision could stop the project now. The attorney for the Bellevue Ochre Point Neighborhood Association members who filed the two previous lawsuits said Monday night he believes his clients will file a new court appeal.

The Preservation Society of Newport County received a special-use permit to construct a \$4.2 million welcome center that would replace the current tent, portable toilets, vending machine shed, old ticket booth and overgrowth in vegetation to the left of The Breakers entrance.

Zoning board member Donald Boucher said The Breakers mansion, designed by architect Richard Morris Hunt and constructed between 1893 and 1895 as a summer home for Cornelius Vanderbilt and his family, is in conformance with its beautiful natural location overlooking the ocean, and is an example of architecture that shows "where the hand of man meets the hand of God."

"The exception is the current visitors center (a tent), which is an eyesore and not in the spirit of the Vanderbilts," Boucher said. "The new visitors' center would cover less than 1 percent of the Breakers property, be hidden in vegetation, and replace a tent, shed and porta-potties. We are replacing something that is unattractive with something that is attractive."

The food service component was the most controversial aspect of the proposal, Boucher and other board members said. The center would serve catered sandwiches, salads and refreshments only to



Above: Preservation Society of Newport County Executive Director Trudy Coxe, right, is congratulated by Newport County Chamber of Commerce Executive Director Jody Sullivan after the Zoning Board of Review voted 4-1 on Monday in favor of allowing a welcome center at The Breakers.

Left: Christopher Kirwin, right, acting chairman of the zoning board, announces the board's decision on Monday night.

Dave Hansen | Staff photos

ticketed guests and Preservation Society members. There will be no kitchen or food preparation on site.

"It is not a restaurant," Boucher said. "People who own restaurants were in favor of allowing the selling of refreshments. They want to bring people into Newport and have a visitors center worthy of Newport."

"I am incredibly humbled

by the incredible thoughtfulness of this group," said Trudy Coxe, the Preservation Society's executive director, immediately after the board voted.

"The decision was made for all of us," said Jody Sullivan, executive director of the Newport County Chamber of Commerce, which supported the proposal. The Breakers attracts more than 400,000 visitors annually and is considered a

driver for the local tourism economy.

"I'm enormously pleased with the work of the zoning board members," said Donald O. Ross, chairman of the Preservation Society's board of trustees. "They were very thorough and thoughtful. I'm very grateful for their hard work. A lot of people spent a lot of time and effort on this proposal. We have very good architects and

very good advisers."

More than 80 people attended the meeting in the conference room of the Newport Area Career and Technical Center. Many opponents of the welcome center plan left quickly after the board's decision and could not be reached for comment.

The Preservation Society

APPROVAL A7

'They want to bring people into Newport and have a visitors center worthy of Newport.'

Donald Boucher, member of the Newport Zoning Board of Review

Approval

Continued from A1

hired Epstein Joslin Architects of Cambridge, Mass., with Alan Joslin as the lead architect, to develop the building plan for the welcome center. Joslin is occasionally a visiting associate professor in the Massachusetts Institute of Technology architecture department. Among the projects for which he was principal-in-charge or project architect is the Seiji Ozawa Hall for the Boston Symphony Orchestra in Tanglewood, Mass.

According to the plans, the metal-and-glass welcome center would have a technologically advanced ticketing center and modern, wheelchair-accessible restrooms. The center would be built to be environmentally friendly, taking advantage of natural light and ocean breezes, although it also would have cooling and heating, allowing it to operate year-round. The copper roof of the center would have an aged-green patina when it is installed, allowing it to blend into the surrounding greenery. The garden-style architecture is inspired by park pavilions and conservatories from the Gilded Age, Joslin has said.

Reed Hilderbrand of Watertown, Mass., developed the landscape design. The American Society of Landscape Architects named Reed Hilderbrand as the "2013 Landscape Architecture Firm of the Year."

The approval process began in early 2013 before the state Historical Preservation & Heritage Commission, which has review oversight over the plans because The Breakers received a federal grant to fix the roof about 10 years ago. The state, which administered the grant, received an easement on the property. The commission gave preliminary approval to the welcome center plan in June 2013, and requested additional landscaping details before giving final approval the following month.

The city's Historic District Commission rejected the



Dave Hansen | Staff photographer

Newport Zoning Board of Review member Donald Boucher reads his decision Monday in favor of approving a visitors center at The Breakers.

proposal in August 2013, but the city's Zoning Board of Review voted Jan. 27 this year to overturn that decision.

In mid-July 2014, a Superior Court judge threw out the Bellevue Ochre Point Neighborhood Association's lawsuit claiming local zoning laws prohibit the Preservation Society from establishing a welcome center at The Breakers. In response to a second lawsuit, the judge ruled in early August that the neighborhood association lacked the legal standing to appeal the zoning board's decision to overturn the HDC ruling.

Those rulings cleared the way for the Zoning Board of Review to hold three well-attended public hearings in December on the Preservation Society's request for the special-use permit, which modifies a special-use permit the society first received in 1997 for the tent, vending machine shed and portable toilets.

"Besides the oral testimony, we've reviewed hundreds of

documents, if not thousands," said Christopher Kirwin, acting chairman of the zoning board for this permit. He said the application met "all zoning requirements."

Besides Boucher, board members Michael Martin and Heidi Blank supported Kirwin's call to approve the proposal.

Board member Robert Buzard made a motion to not allow the serving of sandwiches, wraps and salads "or any other meal" at the welcome center. The motion failed on a 2-3 vote, with Martin voting with Buzard in favor.

When the motion failed, Buzard said he could not vote in favor of the application. Martin did not feel that way.

"If it were a true restaurant, I would not vote in favor of it," he said. "It's not and I will vote in favor of it."

After the verbal approval Monday night, the board is expected to issue its written decision on Jan. 26, the next regularly scheduled board meeting. The opponents then

have 20 days from the signing of the written decision to file an appeal in Superior Court.

Attorney William R. Landry, who represented the Preservation Society throughout the long approval process, said construction of the welcome center could proceed after the appeal period and the issuance of building permit by the city, "unless there is a court order."

The zoning board gave the Preservation Society two years to start and "substantially complete" construction of the center.

Attorney R. Daniel Prentiss of Providence, representing the Bellevue Ochre Point Neighborhood Association and abutter John Noffo Kahn of 237 Rugles Ave., said Monday night he expects his clients to appeal the board's decision in Superior Court.

"The zoning ordinance does not allow museums to serve meals to the public," he said. "It can't happen."

Flynn@NewportRI.com