

Proposed Findings of Fact:

The Preservation Society of Newport County Application for Certificate of Appropriateness/The Breakers

1. The Breakers is located at 44 Ochre Point Avenue and was constructed between 1892-1895 (“The Property” or “The Breakers”). The property is located within the boundaries of Ochre Point Cliffs National Historic Landmark District (National Register of Historic Places), the Bellevue Avenue Historic Landmark District (National Register of Historic Places), and the Newport Historic District. The Property is a contributing property within the three districts. The property is also individually listed as a National Historic Landmark (National Register of Historic Places).
2. The Property contains three buildings, each of which retains an exceptionally high degree of integrity: the main house, the caretaker’s cottage, and the children’s playhouse. The Property also contains historical archeological resources such as a heating plant and a appurtenant structures.
3. The Breakers is a 13-acre estate bordering the cliffs that overlook the Atlantic Ocean to the east. The Property is defined by a 12-foot wrought iron fence enclosing three sides of the property.
4. The Breakers property is listed as a whole, defined by the northerly on Shephard Avenue; easterly by the Atlantic Ocean; southerly on Ruggles Avenue; westerly on Ochre Point Avenue. The boundary justification in the National Historic Landmark designation nomination form notes that “the boundary includes the mansion, cottage, and grounds that have historically been part of the Breakers estate and that maintain their historical integrity.” (See page 25 NRHP Registration Form) The landscape of the Breakers contributes to this National Historic Landmark listed property and is entirely included within the defined boundary.
5. Character defining features of the Property include: Beaux-Arts, Italian High Renaissance style architecture; rectangular building masses; hipped roofs; terra cotta roof tiles; limestone facades; columns, pilasters, rustication, arcades, bracketed cornices, heavily capped chimneys, and sculptural elements; a formal landscape containing a forecourt, a north parterre, a south parterre, gravel drives, and meandering walking paths; and a wrought iron fence.
6. The Breakers is rich with Historic landscape features which “were originally designed by Boston engineer and landscape architect Ernest Bowditch, a student of Central Park designer Frederick Law Olmsted. Pin oaks and red maples line the drive. The formally landscaped terrace is surrounded by Japanese yew, Chinese juniper, and dwarf hemlock. The trees of the Breakers’ grounds act as screens that increase the sense of distance between The Breakers and its Newport neighbors. Among the more unusual imported trees are two examples of the Blue Atlas Cedar, a native of North Africa, and closely related to the Cedars of Lebanon mentioned in the Bible. Clipped hedges of Japanese yew and Pfitzer juniper line the tree shaded foot paths that meander around the grounds. Informal plantings of arbor vitae, taxus, Chinese juniper, and dwarf hemlock

provide attractive foregrounds for the walls that enclose the formally landscaped terrace. The grounds also contain several varieties of other rare trees, particularly copper and weeping beeches. These were hand-selected by James Bowditch, a forester also based in the Boston area. Bowditch's original pattern for the south panterre garden was determined from old photographs and laid out in pink and white alyssum and blue ageratum. The wide borders paralleling the wrought iron fence are planted with rhododendron, laurel, dogwoods, and many other flowering shrubs that effectively screen the grounds from street traffic and give the visitor a feeling of complete seclusion." (See page 12 NRHP Registration Form)

7. The landscape features of The Breakers "has withstood time and presents the viewer today with an example of a period of great transition and advancement in its field. The grounds were the result of a collaboration between Hunt, Ernest W. Bowditch, landscape engineer, and James Bowditch, forester, as well as the Vanderbilt's head gardener, Robert Laurie. Ernest Bowditch was an established landscape engineer from Boston and a student of the famous designer of Central Park, Frederick Law Olmsted. The Breakers is significant in American landscape design because it reflects the combination of formal traditional elements used in public parks with the more naturalistic elements that were primarily used in private gardens. The mixing of the formal style with the naturalistic at The Breakers produced what is known as the "Beaux-Arts garden." (See page 22 NRHP Registration Form)

8. The historic landscape features of The Breakers have, in some locations, temporarily lost integrity due to plant loss over time and overgrowth resulting from decades of deferred maintenance. Nonetheless, the Historic landscape features are character-defining features of the Property, due to the intact spatial relationships of the landscape areas and the intact route, alignment, and width of the serpentine garden path.

9. The purposes for the Historic District Zoning stated in Chapter 17.80 of the Newport Zoning Ordinances are:

1. Safeguard the heritage of the City of Newport by preserving districts in the City of Newport which reflect elements of its cultural, social, economic, political, and architectural history;
2. Stabilize and improve property values in those districts;
3. Foster civic beauty;
4. Strengthen the local economy; and
5. Promote the use of the historic districts for the education, pleasure, and welfare of the citizens of the City of Newport.

10. Among the other requirements before a Certificate of Appropriateness can be issued the Historic District Commission (HDC) is charged with considering:

- a. The historic and architectural significance of the structure and its appurtenances;
- b. The way in which the structure and its appurtenances contribute to the historical and architectural significance of the district; and
- c. The appropriateness of the general design, arrangement, texture, materials, and siting proposed in the plans. (Ordinance Section 17.80.050 C-1-a, b, & c)

11. The HDC is further charged with taking “into account the relative architectural and historic significance of structures: the integrity and condition of historic fabric; the reasonableness of the proposed alteration; and the practical realities of alternatives that minimize harm to the historic district.” (Ordinance Section 17.80.050 C-2)

12. Zoning Ordinance Section 17.80.060 details the Newport standards for the treatment of historic properties. Subsection A and C are applicable to the application as The Breakers is a contributing structure and the proposed insertion into the Property of and changes to the Historic landscape features are considered new construction.

13. Secretary of the Interior Standards for Treatment of Historic Properties, Standards for Rehabilitation state: a property will be used as it was historically or be given a new use that requires minimal change to its distinctive material, features, spaces, and spacial relationships.

14. The construction of the proposed Welcome Center building of 36500 square feet with an exterior patio area of at least 1300 square feet is not a minimal change but is a material change that would not only introduce a commercial enterprise to The Breakers grounds, it would have an adverse effect on the historic building and other structures to include the Historic landscape features on The Breakers site, the gatekeeper’s cottage, and The Breakers building itself.

15. Due to changes of the spatial relationships and loss of remaining original character-defining features of the property the proposed proposal is inconsistent with Ordinance Section 17.80.050 C-1 a, b, c and 17.80.060 A-1 & C-1 & 3.

16. The proposed structure and its appurtenances moves and/or alters distinctive materials, features, spaces, and spatial relationships that characterize The Breakers.

17. The proposed structure is conjectural and incompatible in use and appearance and presents a false historic appearance for The Breakers.

18. During the period of significance all secondary outbuildings were removed from the property except the necessary element of a heating system positioned at the entry in a traditional organization.

19. The proposed construction would insert a secondary building into the Property in direct opposition to the historic organization as carried out by the Cornelius Vanderbilt II design team.

20. The proposed construction does not contribute to and will have a detrimental effect upon the historical and architectural significance of the district and the Property.

21. The proposed construction is not compatible to and does not harmonize with the surrounding historic area in terms of size, scale, and massing.

22. The scale of the proposed, irregularly shaped building is large (3650 square feet) in comparison to the 1176 square feet of the children's playhouse and the approximately 1900 square feet footprint of the two story caretaker's cottage. The proposed project area including alteration of vegetation and elimination of a portion of the Bowditch garden path is approximately one half acre within this compact 13-acre historic property.

23. About 60 percent of the building space is food service and seating which imposes unnecessary landscape screening requirements.

24. The use as proposed would degrade the Breakers estate's character and historic design concepts.

25. The issuance of a Certificate of Appropriateness would establish a negative precedent for historic district properties that could fundamentally change the character of the entire district.