

Minutes of the
Zoning Board of Review

February 24, 2009

A meeting of the Zoning Board of Review was held on Monday, February 23, 2009, in the Council Chambers of City Hall at 7:00 p.m.

PRESENT: Rebecca McSweeney, Chair
Elizabeth Minifie
Martin Cohen
Marvin Abney
Mary Joan Hoene
Gregory Yalanis

Guy Weston, Zoning Officer
Christopher Behan, Assistant City Solicitor
Nancy Simoes, Stenographer, Allied Court Reporters

D E C I S I O N S

A motion was made by Ms. Minifie, seconded by Mr. Cohen to approve the minutes of January 26, 2009. The motion was unanimously approved.

A motion was made by Ms. Minifie, seconded by Mr. Martin, to approve the request of the Congregation Jeshuat Israel to extend the approval of the construction of the museum and the renovation of the Barney House for two years until 2/23/2011, with the condition that the Congregation return in one year to give a report as to the progress of the proposal. The motion was unanimously approved. Martin Cohen recused. Attorney Turner Scott is to prepare the decision for the board's signature.

A motion to adopt the application, staff report and Planning Board recommendation as the board's findings of fact for the PETITION OF LEE CAOUCETTE, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct 2 second floor shed dormers which will be located 3 ft. from the west property line (10 ft. required) applying to the property located at 23 W. Narragansett Ave., TAP 39, Lot 107 (R-10 zone) was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. A motion to approve the petition with the condition that the project be started and substantially completed within one year from the date of the decision was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. Mr. Weston is to prepare the decision.

A motion to adopt the application, staff report, report by the Building Inspector, Planning Board recommendation and testimony Steven Oates as the board's findings of fact for the PETITION OF THE ESTATE OF SANDRA OATES, applicant and owner; for a special use permit for

permission to maintain a new 10 ft. x 10 ft. second floor deck (change of a non-conforming development) applying to the property located at 491-493 Thames St., TAP 32, Lot 159 (WB zone) was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. A motion to approve the petition was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. Attorney Mary Jo Carr is to prepare the decision for the board's signature.

A motion to adopt the application, staff report and Planning Board recommendation as the board's findings of fact for the PETITION OF DAPHNE THORNTON, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a new 131, sq. ft. porch and vestibule which will be located 34 ft. from the north property line and 37 ft. from the west property line (40 ft. required) and a 266 sq. ft. porte-cochere addition. Said additions to increase the lot coverage from 17% to 19% (10% allowed) applying to the property located at 37 Ledge Rd., TAP 38, Lot 57 (R-60 zone) was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. A motion to approve the petition with the condition that the project be started and substantially completed within one year from the date of the decision was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. Attorney Mary Jo Carr is to prepare the decision for the board's signature.

A motion to approve the petition of PETITION OF KATHLEEN KEARNEY, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a new shed dormer which will be located 14 ft. from the west property line (20 ft. required) applying to the property located at 397 Gibbs Ave. (Carrington House, Carriage House), TAP 30, Lot 42-CH, (R-20 zone) was made by Ms. Minifie, seconded by Mr. Cohen with the condition that the project be started and substantially completed within twelve months from the date of the decision. The motion was denied on a 3-2 vote. Mr. Cohen and Mr. Abney voted nay. Attorney Turner Scott is to prepare the decision for the board's signature.

A motion to adopt the application, staff report, Planning Board recommendation and testimony of David Witteveen as the board's findings of fact for the PETITION OF DANIEL WITTEVEEN, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to expand an existing non-conforming development by adding a third floor dormer which will be located 4.3 ft. from the south property line (10 ft. required) applying to the property located at 342 Spring St., TAP 32, Lot 37 (R-10 zone) was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. A motion to approve the petition with the condition that the project be started and substantially completed within twelve months from the date of the decision was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. Mr. Weston is to prepare the decision.

A motion to adopt the application, staff report and Planning Board recommendation as the board's findings of fact for the PETITION OF PAIGE BRONK, applicant and owner; for a special use permit for permission to park a boat, which is 10 feet in height, 2 ft. from the south property line applying to the property located at 24 Weatherly Ave., TAP 40, Lot 444, (R-10A zone) was made by Ms. Minifie, seconded by Mr. Cohen with the condition that the approval be

restricted to the occupancy of the property by Paige Bronk. The motion was unanimously approved. Mr. Weston is to prepare the decision.

The following petitions were continued to the next regular meeting of the Zoning Board of Review scheduled for March 23, 2009:

Petition of Derek Boudreau & Tiffanie Starr, located at 485 Spring Street (Nov-6)

Appeal of Thomas Cullen, located on Hammersmith Road (Jan-1)

Petition of Cynthia Mahood, located at 73 Catherine Street (Feb-1)

GW/jh