

Minutes of the
Zoning Board of Review

October 27, 2009

A meeting of the Zoning Board of Review was held on Monday, October 26, 2009, in the Council Chambers of City Hall at 7:00 p.m.

PRESENT: Rebecca McSweeney, Chair
Liz Minifie
Marvin Abney
Michael Martin
Greg Yalanis
Mary Joanne Hoene
Martin Cohen

Guy Weston, Zoning Officer
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. Abney to approve the minutes of September 28, 2009. The motion was approved.

A motion to adopt the application, Planning Board recommendation, and staff report as the board's findings of fact for the PETITION OF CHRISTINE LAUDON, applicant and owner; for a special use permit for permission to the existing single-family dwelling into a two-family dwelling applying to the property located at 35 Champlin St., TAP 23, Lot 107, (R-10A 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 six 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, and staff report as the board's findings of fact for the PETITION OF PETER & ROSELLE MCDONELL, applicants and owners; for a special use permit for permission to construct a 12' x 12' 1st floor rear deck applying to the property located at 20 Ward Ave., TAP 34, Lot 187, (R-20 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, and staff report as the board's findings of fact for the PETITION OF JOANNE HOVEY, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to maintain an 8' x 8' storage shed which is located 2' from the west property line and 4' from the north property line (10' required) and which increases the lot coverage from 21% to 22% (20% allowed) applying to the property located at 1 Elm St., TAP 17, Lot 15, (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 six 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, and staff report as the board's findings of fact for the PETITION OF ELIZABETH SILVIA, applicant; ANTONE SILVIA, owner; for a special use permit and a variance to the dimensional requirements for permission to reconfigure the existing front stairs by adding a second landing which will be located 8 ft. from the south property line (15' required) which will increase the lot coverage from 31% to 32% (20% allowed) applying to the property located at 16-18 Aphrope Ave., TAP 7, Lot 314, (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 six months from the date of the decision was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. Attorney Turner Scott is to prepare the decision.

A motion to adopt the application, the testimony of Mercelinda Daquil, and staff report as the board's findings of fact for the PETITION OF ALVIN & MERCELINDA DAQUIL, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to maintain a 12' x 12' detached storage shed which is located 4' from the north and east property lines (10' required) and which will increase the lot coverage from 28% to 31% (20% allowed) applying to the property located at 179 Third St., TAP 9, Lot 407, (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 six 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 for the board's signature.

A motion to adopt the application, testimony of Denise Drapeau-Walker, and staff report as the board's findings of fact for the PETITION OF DENISE DRAPEAU-WALKER, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to construct a 592 sq. ft. deck/sunroom addition which will increase the lot coverage from less than 20% to 30% (20% allowed) applying to the property located at 8 Katzman Pl., TAP 12, Lot 287, (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 conditions 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 for the board's signature.

A motion to approve the PETITION OF CLARIE RYAN, applicant and owner; for a special use permit and a variance to the dimensional requirements for permission to demolish the existing garage and construct a new 2-1/2 story, single-family dwelling which will be located 5 ft. from the east and west property lines (10 ft. required), and which will increase the lot coverage from 13% to 38% (20% allowed) and applying to the property located on Dean Ave., TAP 35, Lot 152, (R-10 zone) with the condition that the project be started and substantially completed within twenty-four months from the date of the decision was made by Ms. Minifie, seconded by Mr. Cohen. The motion was denied.

on 1-4 vote. (Mr. Abney voting aye). Mr. Weston is to prepare the decision for the board's signature.

The hearing on the Petition of St. Michael's Day School, located at 180 Rhode Island Avenue (Aug-4) commenced. David Canapari and Whitley Slade, representing the school were present and offered testimony. The Board expressed concerns as to whether the minimum variance was being sought. At the request of the petitioners, the petition was continued to the regular meeting of November 23rd.

A motion to approve the PETITION OF WILEY & JANIS BUCHANAN, III, applicants and owners; for a variance to the dimensional requirements for permission to establish a "building envelope" in which to construct a single-family dwelling which is to be located 50' from the east property line (100' required) applying to the property located at 200 Harrison Ave., TAP 43, Lot 72, (R-160 zone) with the condition that the proposed drainage calculations be approved by the city and that a copy of the recorded surveyed be provided as part of the decision was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved. Attorney Turner Scott is to prepare the decision for the board's signature.

A motion to approve the PETITION OF GERARD & LYNNE DECOTIS, applicants and owners; for a special use permit and a variance to the dimensional requirements for permission to construct a 12' x 8' third floor deck addition which will be located 8.5' from the west property line (10' required) and which increase the lot coverage from 27% to 29% (20% allowed) applying to the property located at 8 Peckham Ave., TAP 7, Lot 131, (R-10 zone) 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 denied on 1-4 vote. (Mr. Martin voting aye). Mr. Weston is to prepare the decision for the board's signature.

A motion to approve a request for an extension of approval of the Petition of Helen Vaughan, 3 Ashurst Place from December 22, 2009 to December 22, 2010 was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved.

A motion to approve a request for an extension of approval of the Petition of Douglas Powers, 270 Gibbs Avenue from February 2, 2010 to February 2, 2011 was made by Ms. Minifie, seconded by Mr. Cohen. The motion was unanimously approved.

The following additional petitions were continued to the next regular meeting of the Board to be held on Monday, November 23, 2009:

- Petition of Gooseberry Beach, located at 130 Ocean Avenue. (Jun-2)
- Petition of Keith Cullen, located at 41 Kay Blvd (Jul-4)
- Petition of Christopher Harkins, located on Barney Street (Aug-9)
- Petition of John McNulty, located at 45 Eastnor Road (Oct-6)

GW/jh