



Town of South Kingstown Zoning Board of Review Meeting

Meeting Minutes

Wednesday, June 18, 2025 at 7:00 PM
South Kingstown Town Hall, Town Council Chambers
180 High Street, Wakefield, RI 02879
www.southkingstownri.gov

Robert Cagnetta, Chair
Thomas Daniels, Vice Chair
William Rosen, Member
Arlene Hicks, Member
Geoff Elia, Member
William MacDonald, Alt. #1
Vacancy, Alt. #2
Vacancy, Alt. #3

A. Call to Order

Mr. Cagnetta called the meeting to order at 7:02 pm.

B. Chairman Introductions and Instructions

Mr. Cagnetta explained the rules and procedures.

Members Present: Robert Cagnetta, Chair; Thomas Daniels, Vice; William Rosen, Member; Arlene Hicks, Member; William MacDonald, Alt. #1

Member(s) Absent: Geoff Elia, Member

Staff Present: Amy Goins, Special Legal Counsel; Jamie Gorman, Building and Zoning Official; Jessica Spence, Administrative Support

Members voting tonight will be Mr. Cagnetta, Mr. Daniels, Mr. Rosen, Ms. Hicks and Mr. MacDonald

C. Agenda Items *Order can be subject to change*

Mr. Cagnetta called the petition of 962 Post Road.

Attorney Resnick stated that his clients were not all present at this time and asked to be moved further down the agenda.

Mr. Cagnetta agreed and called the next petition.

I. **Petition of Matthew Brown and Freida Sahady, 254 Robinson Street, Wakefield, RI, 02879**

For a **Special Use Permit** under the Zoning Ordinance as follows:

The applicant is seeking a Special Use Permit to allow alcohol service at the proposed restaurant. Lot size is .4 acre. A **Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table), Section 504.18 (Standards for Restaurant with Alcohol), and Section 907 (Standards of Relief).**

Owner of the property is Main & Robinson, LLC, for premises located at 254 Robinson Street, South Kingstown, Assessor's Map 57-4, Lot 202 and is zoned CD (Commercial Downtown).

[Application 254 Robinson Street](#)

All documents were entered into the record.

Matthew Brown was sworn in.

Freida Sahady was sworn in.

Mr. Brown testified that they are looking to open a small wine and tapas bar for dinner only. The additional space will also be used for storage since they have outgrown their current location. This is a different concept and a separate business from their existing restaurant, Purslane.

Mr. Gorman indicated that this application would be treated separately from Purslane, along with the alcohol license.

Mr. Brown testified that the proposed hours would be between 5-10 pm on weekends and 5-9 pm on weekdays. There would be twenty-nine (29) seats inside and eight (8) outside.

Ms. Sahady stated that they would only be seating patrons on one side of the proposed location. The other side would be used for office and storage space. The existing eight (8) outside seats would remain and be part of the alcohol service area.

Board questions ensued about the outside service area, the process for obtaining the necessary licensure and the criteria for granting a SUP.

Mr. Brown stated that the menu submitted is a first draft and that they are not currently serving alcohol in the new location. All of their servers are TIPS certified and there would always be a server outside to monitor alcohol sales and consumption.

Ms. Sahady stated that there are always eyes on the customers.

Mr. Brown indicated that the service area is inside, and all alcohol will be brought from inside to the outside service area. Outside seating will consist of four (4) two-tops.

Ms. Sahady indicated that this business will be run as a separate business and not as Purslane and that customers will not be able to bring food and beverages between the two (2) establishments. They are seeking a full liquor license.

Mr. Gorman indicated that this is a new establishment and that the applicants are asking for a new business license and a new liquor license. They are seeking separate licenses between the two (2) businesses.

Ms. Goins indicated that zoning decisions run with the land, but that a liquor license also requires approval and granting from the Town Council.

Mr. Brown indicated that the current liquor license with Purslane has had no issues. This new business will not have a full restaurant kitchen with a hood, they will be preparing pretty much raw bar items.

Mr. Brown stated that this property has a parking lot onsite. Additionally, there is street parking and public parking lots across the street. All trash, deliveries and loading areas will be the same as were previously used by the former business. All utilities are in place. They will be applying for permits for signs.

Mr. Brown indicated that there would be no co-mingling between restaurants of employees during the same shifts.

The Board had no further questions.

Mr. Cagnetta asked if anyone in the audience wished to speak regarding the above petition.

There was no one present who wished to speak.

There was no further Board discussion.

Whereas a motion was made.

The Motion is as follows:

The following motions were made by Mr. Daniels and duly seconded by Mr. Rosen

Motion passed unanimously: 5-0 Vote in favor

(T. Daniels-Aye, W. Rosen-Aye, A. Hicks-Aye, W. MacDonald-Aye, R. Cagnetta-Aye)

At a meeting held on June 18, 2025, regarding the Petition of Matthew Brown and Freida Sahady, 254 Robinson Street, Wakefield, RI, 02879, a **Special Use Permit was granted** under the Zoning Ordinance as follows: The applicant is seeking a Special Use Permit to allow alcohol service at the proposed restaurant. Lot size is .4 acres. A Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table), Section 504.18 (Standards for Restaurant with Alcohol), and Section 907 (Standards of Relief). The owner of the property is Main & Robinson, LLC, for premises located at 254 Robinson Street, South Kingstown, Assessor's Map 57-4, Lot 202 and is zoned CD (Commercial Downtown).

The following individuals spoke as representatives of the applicant:

- Matthew Brown, applicant
- Freida Sahady, applicant

There was no one who spoke either in favor of or in opposition to the petition.

The following materials were entered into the record:

- Zoning Board Application signed May 7, 2025; Owner Authorization Form signed and notarized May 8, 2025; Area of Service Floor Plan (4 pages); Menu
- 200' Abutter's List and Radius Map; Legal Notice and Notarized Affidavit of Mailing

Findings of Fact:

1. The Board finds that the special use is specifically authorized by this Ordinance, because a Special Use Permit is required per Zoning Ordinance Section 301 (Schedule of Use Regulations Table), Section 504.18 (Standards for Restaurant with Alcohol), and Section 907 (Standards of Relief).
2. The Board finds that the special use meets all the criteria set forth in the subsection of this Ordinance authorizing such special use, because through testimony it was determined that the applicant met all the specified criteria to grant a Special Use Permit under the Zoning Ordinance.
3. The Board finds that granting of the special use permit will not alter the general character of the surrounding area or impair the intent or purpose of this Ordinance or the Comprehensive Plan of the Town. In so doing, the Board has considered whether or not satisfactory provisions and arrangements have been or will be made concerning, but not limited to, the following matters, where applicable:
 - i. Ingress and egress to the lot and to existing or proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire, emergency, or catastrophe; existing and will not change.
 - ii. Off-street parking and loading areas where required, with particular attention to the items in subsection A.1., above, and the noise, glare, or odor effects of the special use permit on adjoining lots; off-street parking was discussed, and this particular location has an onsite lot behind the building, as well as access to municipal lots.
 - iii. Trash, storage, and delivery areas with a particular reference to the items in (i) and (ii) above; same as existing and will not change to any demonstrable degree.
 - iv. Utilities, with reference to locations, availability, and compatibility; are existing and in place with no need to add additional utilities.
 - v. Screening and buffering with reference to type, dimensions, and character; not applicable.

- vi. Signs, if any, and exterior lighting with reference to glare, traffic safety, and compatibility and harmony with lots in the zoning district; the applicant indicated that they would apply for any necessary permits for signs.
- vii. Required yards and other open space; not applicable.
- viii. General compatibility with lots in the same or abutting zoning districts; the location is a commercial district and the concept is well in line with the neighborhood and surrounding businesses.

Approval is conditional, subject to the following conditions:

- There are no conditions upon this approval.

II. Petition of Ann Rabinowitz Dantzig, 962 Post Road, South Kingstown, RI, 02879

For a **Dimensional Variance** under the Zoning Ordinance, as follows:

The applicant is seeking to construct front and rear additions to the single-family dwelling. The additions will be located 20' from the side property line. The required side yard setback is 40', therefore relief of 20' is requested. Lot size is 2.26 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief).** Owner of the property is Ann Rabinowitz Dantzig for premises located at 962 Post Road, South Kingstown, Assessor's Map 75-2, Lot 5 and zoned R80. [Application 962 Post Road](#)

All documents were entered into the record.

Attorney Sandy Resnick was present for the applicant.

David Graham, Architect, was present and sworn in.

Edward Pimentel, Urban Planner, was present and sworn in.

Mr. Resnick asked that Mr. Pimentel be recognized as an expert witness.

Mr. Cagnetta recognized Mr. Pimentel as an expert in planning.

Mr. Resnick stated that this property was purchased in 2021 and began an extensive plan development process. They had a boundary survey completed, received a RI DEM OWTS permit and submitted for a building permit. The building permit was approved in February 2025 and in early March they ordered materials. The building department then determined that there was an error in the issuance of the permits and dimensional relief would now be required. Ms. Dantzig purchased the house with the intent of meeting all the needs of her family, which is why the large addition is required.

Mr. Gorman explained that the building department met with the contractor, reviewed the plans and issued the permit. It was determined after the permit was issued that a 40' setback was now required due to changes in RI General Law and not the 20' setback as was previously the case. Once it was discovered, the applicant was advised that work needed to stop until a solution or a dimensional variance could be granted. The applicant has complied, and no work has taken place since.

Ms. Goins advised that substandard lots are entitled to reduced setbacks and that the state laws regarding setback regulations on substandard lots changed during the extensive design process. The law previously used a calculation so that setbacks were reduced proportionately by the same proportion that the lot was undersized. Last June, however, the method for determining the amount of setback relief changed, and because of this change of calculation, the applicant now requires relief that was not previously needed during the design process.

Mr. Pimentel stated that the addition conformed to the previous setback regulations. In his report he described the

shape of the lot, which is long and narrow, and that the existing house falls right in the middle of the 40' setbacks. They are attempting to create a multi-generational home where the owner, her mother and her children can age in place. The existing house configuration is not conducive to the 40' setbacks. The minute the clients were made aware of the error, they stopped construction. Changing the layout would be a burden to the applicant, since the increased setbacks fall right into the middle of the existing house and reconfiguring the interior layout would hamper the flow of the addition. The only neighbor that would be in proximity to this house is buffered by the crest of a hill, which the plans show the topography. The applicant is proposing a one-story addition to the rear which will create a 7-9' viewable difference from the crest of the hill. The angle of view from the neighbor's home is an upward view, Mr. Pimentel then referenced a photo from his report on page 15 of 18 and noted that the proposed one-story addition would not be visible. The threshold is a mere inconvenience and what it would take to rectify this situation would be much more than a mere inconvenience.

Mr. Graham stated that he is the architect for this proposed project and has appeared before many municipal boards in New York.

Mr. Resnick asked that Mr. Graham be recognized as an expert witness in architecture.

Mr. Cagnetta recognized him as an expert in architecture.

Mr. Graham stated that in 2021 he began working on this project. They went through various designs, developed construction drawings and hired contractors. The reason this home was purchased was to accommodate the owner's 90 + year-old mother and the need for a first-floor bedroom, accessible bathroom and small living area adjacent to the bedroom. The current plan meets these needs and also creates the best floor plan for the entire family's needs. The proposed addition does not come any closer to the side yard than the currently existing home. The proposed design is able to maintain the 20' side setback that was required at the time of design. The design was reviewed by the Building Department and the building permit was issued, at which point they purchased a couple of hundred thousand dollars worth of windows. They do not plan on adding any additional windows on the side of the house closest to the neighbors to maintain privacy, as well as adding a privacy hedge along the property line. Mr. Graham explained the proposed layout and how it relates to the existing footprint. The addition is not getting any closer than the existing building, and will be aligned with the existing house.

Mr. Cagnetta asked if anyone in the audience wished to speak regarding the above petition.

Mr. Michael Bontecou was present and sworn in.

Mr. Ernest George was present and sworn in.

Mr. George asked about the existing square footage of living space and the percentage increase of the building and if there could be a cutback in the size of some of the rooms.

Ms. Goins advised that the concept of "least relief necessary" is no longer relevant since the General Assembly eliminated that from the standards.

Mr. George stated that it appears that the sections of the building can be moved back from the property line in a reasonable way. Mr. Bontecou's house is approximately 36' from the property line.

Mr. George entered Opposition #1 to the record, marked up floor-plan.

Mr. Bontecou stated that they have been attempting to work with the applicant. The proposed addition affects them due to the size of the proposed structure and that it is a big wall of a house that could be reconfigured so it is not as close to the property line.

Mr. George explained that the wall length shown in red on his exhibit, is existing, and the proposed expansion is within 20' of the property line. The Bontecou's are asking that the addition be scaled back somewhat, so the entire length of

the new wall does not encroach on the property setbacks.

Mr. Bontecou stated that his house would be approximately 56' away from the proposed addition.

Mr. Graham explained that moving the addition as requested would create an interior disconnect with the layout and diminish the effectiveness of the proposed design for his client. The design was planned to be one-story and take advantage of the topography. Additionally, this proposed wing will block noise spillover from the deck.

Mr. Pimentel advised that they are nowhere near meeting the maximum lot coverage allowed. The design was thoughtful and works with the existing conditions of the property.

Mr. Graham indicated that they are at 5.95% of the allowable 20% maximum lot coverage.

Mr. Pimentel stated that their proposal is no closer to Mr. Bontecou's house than the existing house.

Mr. Graham indicated that the existing house is two-stories and that the addition in question is one-story.

Applicant's Exhibit #1 was entered into the record, a rendering of the proposed addition.

There was no further testimony.

Board discussion ensued.

Whereas a motion was made.

The Motion is as follows:

The following motion was made by Mr. Rosen and duly seconded by Mr. Daniels

Motion passed unanimously: 5-0 Vote in favor

(W. Rosen-Aye, T. Daniels-Aye, W. MacDonald-Aye, A. Hicks-Aye, R. Cagnetta-Aye)

At a meeting held on June 18, 2025, regarding the petition of Ann Rabinowitz Dantzig, 962 Post Road, South Kingstown, RI, 02879, a **Dimensional Variance was granted** under the Zoning Ordinance, as follows: The applicant is seeking to construct front and rear additions to the single-family dwelling. The additions will be located 20' from the side property line. The required side yard setback is 40', therefore relief of 20' is requested. Lot size is 2.26 acres. A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief). The owner of the property is Ann Rabinowitz Dantzig for premises located at 962 Post Road, South Kingstown, Assessor's Map 75-2, Lot 5 and zoned R80. [Application 962 Post Road](#)

The following individuals spoke as representatives of the applicant:

- Attorney Sandy Resnick
- David Graham, Architect
- Edward Pimentel, Urban Planner

The following spoke against the petition:

- Michael Bontecou
- Ernest George

The following materials were entered into the record:

- Zoning Board Application signed May 6, 2025; Owner Authorization Form signed and notarized May 13, 2025; Site Plan prepared by Robert C. Schultz Jr., PLS, stamped and dated June 6, 2025; Construction Documents (AF, A0, A1, A2, A3, A4) prepared by David Graham Architect final revision dated March 11, 2025; Report prepared by Pimentel Consulting, Inc. dated June 9, 2025 (25 pages);
- 200' Abutter's List and Radius Map; Legal Notice and Amended Legal Notice; and Notarized Affidavit of Mailings

Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because the only reason the applicant needs relief is because the RI General Assembly amended how setback relief must be determined after the project had already gone through an extensive design process that spanned several years, including COVID, and was in conformance with former setback regulations.
2. The Board finds that the hardship is not the result of any prior action of the applicant, because the applicant, in good faith, designed an addition to the existing house based on the current setbacks at the time of design.
3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because from an offsite perspective there will be minimal changes viewable. The house itself is set back from the road; additionally, the hilly topography also serves as a buffer between the neighbor's property.
4. The Board finds that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted, because without relief, the entire project would undergo a further loss of time and need to be redesigned at a considerable cost to accommodate the family's needs.

Approval is conditional, subject to the following conditions:

- There are no conditions upon this approval.

III. **Petition of Shirley Page, 19 Wright Avenue, South Kingstown, RI, 02879**

For a **Dimensional Variance** under the Zoning Ordinance, as follows:

The applicant is seeking to construct an Accessory Dwelling Unit (ADU) above the existing detached garage. The proposed building height will be 28'. The maximum height permitted for an accessory building is 15', therefore 13' of relief is requested. Lot size is .43 acres. **A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief).**

Owners of the property are Shirley Page & Niculae Petcu for premises located at 19 Wright Avenue, South Kingstown, Assessor's Map 56-3, Lot 123 and zoned CD (Commercial Downtown).

[Application 19 Wright Avenue](#)

All documents were entered into the record.

Shirley Page was present and sworn in.

Ms. Page testified that she has an existing garage that they would like to build a 900-square-foot one-bedroom accessory dwelling unit (ADU) over for her and her partner to reside in. On the property, there is currently a 3-unit home, and it is their intent to move into the new ADU and rent out the larger unit that they currently reside in. This will help offset their living costs and create an additional rental unit in town.

Board questions ensued.

Ms. Page stated that the existing garage is currently 9' in height and to build a second floor they would need a height variance to accommodate the necessary headroom and create the illusion of more space inside the small 900 sf proposed ADU. The proposed height is much lower than the existing house on sight. One of the garage bays will be used as the entryway to the new unit. Utilities exist and will be tied in. They have plenty of parking to accommodate all the units. The garage is a 3-1/2 bay unit and the bay the furthest from the house will be converted to stairs and serve as additional storage and possible laundry area. The ADU will not cover the full length of the garage; the area over the half bay will be used as a walkout deck. They are downsizing to a smaller unit so it will be much easier to maintain.

Mr. Cagnetta asked if anyone in the audience wished to speak regarding the above petition.

There was no one present who wished to speak.

Ms. Goins advised that what is on the books regarding State Laws for ADU's is what governs even though the current Ordinance has not yet been updated.

There was no further Board discussion.

Whereas a motion was made.

The Motion is as follows:

The following motion was made by Ms. Hicks and duly seconded by Mr. Rosen

Motion passed unanimously: 5-0 Vote in favor

(A. Hicks-Aye, W. Rosen-Aye, T. Daniels-Aye, W. MacDonald-Aye, R. Cagnetta-Aye)

At a meeting held on June 18, 2025, regarding the Petition of Shirley Page, 19 Wright Avenue, South Kingstown, RI, 02879, a **Dimensional Variance was granted** under the Zoning Ordinance, as follows: The applicant is seeking to construct an Accessory Dwelling Unit (ADU) above the existing detached garage. The proposed building height will be 28'. The maximum height permitted for an accessory building is 15', therefore 13' of relief is requested. Lot size is .43 acres. A Dimensional Variance is required per Zoning Ordinance Section 401 (Schedule of Dimensional Regulations) and Section 907 (Standards of Relief). Owners of the property are Shirley Page & Niculae Petcu for premises located at 19 Wright Avenue, South Kingstown, Assessor's Map 56-3, Lot 123 and zoned CD (Commercial Downtown).

The following individuals spoke as representatives of the applicant:

- Shirley Page

There was no one present who spoke either in favor of or in opposition to the petition.

The following materials were entered into the record:

- Zoning Board Application signed May 9, 2025; Owner Authorization Form signed and notarized May 9, 2025; Draft Location Plan prepared by Frisella – Balch & Associates dated November 20, 2023; Construction Documents (5 pages); Statement of Work dated May 2, 2025 (2 pages)
- 200' Abutter's List and Radius Map; Legal Notice and Amended Legal Notice; and Notarized Affidavit of Mailings

Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because through testimony the applicant indicated that she would like to utilize an existing 3-bay garage and simply construct an ADU above it to live in.
2. The Board finds that the hardship is not the result of any prior action of the applicant, because the applicant is looking to downsize her living space, which is currently in the main house, to a smaller, easier-to-maintain ADU above an existing garage.
3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because the garage already exists, and they are simply looking to add some additional height to accommodate the necessary head clearance.
4. The Board finds that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted, because it seems perfectly reasonable to add an ADU for their personal use on top of an existing garage; this move will also free up an additional large rental unit in the main house that they are currently occupying.

Approval is conditional, subject to the following conditions:

- There are no conditions upon this approval.

IV. Petition of James M. Callaghan, 11 Caswell Street, South Kingstown, RI, 02879

For a **Dimensional Variance** under the Zoning Ordinance, as follows:

The applicant is seeking to convert the existing business/office building into a single-family dwelling. The CD zoning district prohibits dwelling units on the first floor, therefore relief from this provision is requested.

Lot size is .11 acres. **A Dimensional Variance is required per Zoning Ordinance Section 402.D (Notes to Schedule of Dimensional Regulations) and Section 907 (Standards of Relief)**. Owner of the property is Lise Iwon for premises located at 11 Caswell Street, South Kingstown, Assessor's Map 57-1, Lot 85 and zoned CD (Commercial Downtown).

[Application 11 Caswell Street](#)

All documents were entered into the record.

Attorney James Callaghan was present for the applicant.

Lise Iwon, owner, was present and sworn in.

Mr. Callaghan stated that they are seeking a dimensional variance to allow residential use on the first floor in a Commercial Downtown (CD) district. The property is located on a side street. Ms. Iwon has owned the property for 40 years and utilized the first floor as a law office for twenty-five (25) years. Ms. Iwon has since retired from practicing law. Ms. Iwon is looking to sell the property to longtime family-friends who have a growing family who would like to utilize the entire building for residential use.

Ms. Iwon was present and sworn in.

Ms. Iwon stated that the property is zoned mixed use and that all the four (4) houses on Caswell Street are residential in use. There is a need for affordable family housing in town and this proposal would allow family friends to purchase the property and use it for residential purposes.

Ms. Goins explained that this type of request comes up frequently in other municipalities.

Board questions ensued.

Ms. Iwon stated that when they purchased the building there was a tenant on the first floor, but they converted it to their law offices. No one currently resides on the premises.

Mr. Cagnetta asked if anyone in the audience wished to speak regarding the above petition.

There was no one present who wished to speak.

There was no further Board discussion.

Whereas a motion was made.

The Motion is as follows:

The following motion was made by Mr. Daniels and duly seconded by Ms. Hicks

Motion passed unanimously: 5-0 Vote in favor

(T. Daniels-Aye, A. Hicks-Aye, W. MacDonald-Aye, W. Rosen-Aye, R. Cagnetta-Aye)

At a meeting held on June 18, 2025, regarding the Petition of James M. Callaghan, 11 Caswell Street, South Kingstown, RI, 02879, a **Dimensional Variance was Granted** under the Zoning Ordinance, as follows: The applicant is seeking to convert the existing business/office building into a single-family dwelling. The CD zoning district prohibits dwelling units on the first floor, therefore relief from this provision is requested. Lot size is .11 acres. A Dimensional Variance is required per Zoning Ordinance Section 402.D (Notes to Schedule of Dimensional Regulations) and Section 907 (Standards of Relief). The owner of the property is Lise Iwon for premises located at 11 Caswell Street, South Kingstown, Assessor's Map 57-1, Lot 85 and zoned CD (Commercial Downtown).

The following individuals spoke as representatives of the applicant:

- James Callaghan, attorney
- Lise Iwon, owner

There was no one present who spoke either in favor of or in opposition to the petition.

The following materials were entered into the record:

- Zoning Board Application signed May 12, 2025; Letter from Attorney James Callaghan dated May 13, 2025; Owner Authorization Form signed and notarized May 13, 2025
- 200' Abutter's List and Radius Map; Legal Notice and Notarized Affidavit of Mailing

Findings of Fact:

1. The Board finds that the hardship from which the applicant seeks relief is due to the unique characteristics of the subject land or structure and not to the general characteristics of the surrounding area; and is not due to a physical or economic disability of the applicant, excepting those physical disabilities addressed in § 45-24-30(16), because the facade looks like an existing residential dwelling; additionally the surrounding homes are all residential in use.
2. The Board finds that the hardship is not the result of any prior action of the applicant, because the applicant is simply

waiting for the approval, so the house can be purchased by long-time family friends as a fully utilized residential unit.

3. The Board finds that the granting of the requested variance will not alter the general character of the surrounding area or impair the intent or purpose of the zoning ordinance or the comprehensive plan upon which the ordinance is based, because all the existing buildings up and down Caswell Street are used for residential purposes.

4. The Board finds that the hardship suffered by the owner of the subject property if the dimensional variance is not granted amounts to more than a mere inconvenience, meaning that relief sought is minimal to a reasonable enjoyment of the permitted use to which the property is proposed to be devoted, because without relief the future owners would not be able to utilize the first floor as part of the overall living space that their family needs.

Approval is conditional, subject to the following conditions:

- There are no conditions upon this approval.

D. Other Items

I. Attendance for July 16, 2025 Zoning Board of Review

All members present are available for the July 16, 2025 meeting.

II. Approval of the May 21, 2025 Zoning Board of Review Minutes

Mr. Cagnetta made a motion to approve the May 21, 2025 Zoning Board of Review

All members were in favor. (Vote 5-0)

May 21, 2025 minutes were approved.

III. Discussion

Ms. Goins inquired about the possibility of switching the August meeting from August 20th to August 27th.

The Board had no issues and the August meeting will be moved to August 27, 2025.

Mr. Rosen inquired about criteria #4 on a dimensional variance.

Ms. Goins explained that the current template is accurate and the criteria of "least relief necessary" has been removed. The focus is now on the "reasonableness"

IV. Adjournment

Mr. Cagnetta made a motion to adjourn.

All members were in favor. (Vote 5-0)

The meeting adjourned at 8:52 pm.