

Vernon Court owners try three-pronged strategy

By Janine Landry
Daily News staff

NEWPORT — Laurence and Judy Cutler's latest plan to win approval to open the long-awaited National Museum of American Illustration in their Bellevue Avenue mansion reads like military strategy.

The couple have launched a three-pronged attack in hopes of realizing their dream to open their collection of more than 2,000 American paintings to the public. The collection includes the the largest private holding of original works by Norman Rockwell, Maxfield Parrish and J.C. Leyendecker.

■ First there is the Cutlers' appeal pending in Superior Court of the June 1999 Zoning Board of Review decision that struck down their plans to open the museum in their home, Vernon Court. That appeal is pending in Superior Court. Although the zoning board actually voted 3-to-2 in favor of the plan, state law requires special use variances be approved by at least a 4-to-1 vote.

Several of the Cutlers' neighbors had objected, arguing that the proposed museum represented

encroaching commercialism in a residential neighborhood. Some said the zoning code does not allow a residence in a museum, while others questioned the status of the Cutlers' non-profit foundation.

■ In January the Cutlers submitted a new application to the zoning board under the name of a new non-profit arts organization, the American Civilization Foundation. This time around, the Cutlers say that they will not make Vernon Court their permanent residence. Instead they will live in the mansion only part-time and remain residents of New Hampshire to answer concerns over ambiguous language in the city's zoning ordinance that might prohibit a museum from also serving as a fulltime residence. The new application also expands the couple's original proposal by an additional 1,200 square feet.

The zoning board Monday night continued the new application until March 27 when a special meeting date in April will be determined. Only one lawyer appeared at the meeting to contest the Cutlers' new application, Mary Jo Carr, who rep-

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resents Bellevue Avenue resident Jonathan H. Pardee. Neither Carr nor Pardee would comment on the Cutlers' application.

■ Then in February the Cutlers turned to the City Council for help. Their lawyer, Brian Bardorf, wrote a letter asking the council to change the definition of museum in the zoning ordinance so that a museum could mean a building or a portion of a building. Under Bardorf's proposal, a museum could house residential facilities for museum staff.

At its Feb. 23 meeting. The council voted to receive the letter, which was referred to the city's Department of Planning, Zoning and Development and the Planning Board for review.

But Mayor Richard C. Sardella, who supports the Cutlers' museum plans, said that the proper avenue for the couple's proposal is the new application to the zoning board.

Laurence Cutler said he does not know which of his three fronts will bring him victory, but he is confident that one day he and his wife will be able to open their museum. He said he has heard from numerous people from all over the country who support his museum project.

"Whatever one works," he said.

"I've gotten letters from Columbus, Ohio, from Florida, from Texas, from Washington state, from all over the country," he said. "Everybody has been wonderful. The lieutenant governor sent me a letter the other day. The president of RISD [Rhode Island School of Design] sent me a letter."

The Cutlers' museum plans have received national media attention, including a write-up in the March issue of ARTnews.

He said he gets requests regularly from tourists who have heard about the art collection and want to see it. On Tuesday morning, a visitor from England rang the bell at Vernon

Court's gate hoping to see the paintings but learned the museum had not opened.

Laurence Cutler would not say exactly how much he has spent on legal fees in his quest to open the museum other than that the figure is in the "tens and tens and tens of thousands of dollars."

"It is an absolute disgraceful waste of money and the people that are objecting to this are doing it in a misguided and malicious way," he said.

"A lot of us feel that this whole thing smacks of commercialism of some kind," said Bellevue Avenue resident Ronald Dick. "We want Bellevue Avenue as a residential area."